

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

April 18, 2005

CALL TO PODIUM:

**Fred Felton,
Assistant City Manager**

RESPONSIBLE STAFF:

**Mark DePoe, Long Range
Planning Director**

**Fred Felton,
Assistant City Manager**

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District Commission
	Consent Item
X	Ordinance
	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other: Close of Record

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	9/22/2004
	9/29/2004
Hearing Date	10/18/2004
Record Closed	5 pm 4/14/05
Joint Work Session	03/14/2005

TITLE:

An Ordinance of the Mayor and Council of the City of Gaithersburg Granting Approval for Amendment to Sketch Plan Z-297, known as Casey West, for Approximately 125.5 Acres of Property Zoned Mixed Use Development (MXD)

SUPPORTING BACKGROUND:

On October 18, 2004, the Mayor and City Council and the Planning Commission held a joint public hearing on three alternative sketch plans for the Casey-Metropolitan Grove Road Special Study Area. These alternatives range from 678 to 10,050 dwelling units, and from 970,000 square feet to 1,426,000 square feet of office space. The overwhelming majority of the dwelling units in these three alternative plans were two over three condominiums.

Shortly after the public hearing, City Manager Humpton authorized staff to retain Torti Gallas and Partners, Inc., the planning firm which facilitated our Olde Towne Charrette, to serve as a consultant to our staff in providing suggestions and comments on the applicant's plan.

A revised plan was presented to the Mayor and City Council and Planning Commission on March 14, 2005. The Planning Commission is scheduled to make a recommendation to the Mayor and City Council on April 6, 2005. For your review, I have attached copies of all written comments received from the public since the March 14, 2005 work session.

The Planning Commission discussed this matter on April 6, 2005 and recommended approval with six conditions (see attached CPC).

Staff has completed its final review, and is very comfortable with the project; however, we believe forty-two conditions of approval are appropriate.

DESIRED OUTCOME:

Ordinance is ready for final action.

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND COUNCIL OF
THE CITY OF GAITHERSBURG GRANTING
APPROVAL FOR AMENDMENT TO SKETCH PLAN
Z-297, KNOWN AS CASEY WEST, FOR
APPROXIMATELY 125.5 ACRES OF PROPERTY
ZONED MIXED USE DEVELOPMENT (MXD)

Z-297

OPINION

Application Z-297 has come before the Mayor and City Council for approval of an amendment to the previously approved Application Z-278 sketch plan for land zoned Mixed Use Development (MXD). The City Council's authority in this matter is pursuant to Section 24-160D.11 of the City of Gaithersburg Zoning Ordinance (Chapter 24 of the City Code).

The subject case involves approximately 125 acres of land and concerns the development of the Betty B. Casey property known as Parcels P33, P211, P888 and P910. The subject property borders existing City owned parkland and a County owned abandoned vehicle impoundment lot. Directly across from the CSX Railroad tracks is the Bennington residential community consisting of 295 Townhouses on RPT Zoned land, a number of commercial, research and development facilities on land Zoned I-3 and the State Motor Vehicle Administration facility. The amendment to sketch plan application was submitted to the City Planning and Code Administration, on August 4, 2004. This application was designated as Z-297.

OPERATIVE FACTS

A. Background

The subject property ("Site"), was annexed into the City of Gaithersburg on May 31, 1968 as part of the approval of Annexation Application X-095 (Resolution R-8-68) to annex approximately 198 acres of land and to classify the land in its entirety in the I-3 Zone by Resolution R-9-68. There was no annexation agreement associated with the approval of Annexation Application X-095.

On April 1, 1996, the Site was rezoned with the owner's consent to the Mixed Use Development (MXD) zone as part of the Comprehensive Zoning Map Amendment application Z-278 approved by the Mayor and Council by Ordinance O-5-96. The Site is located north of the CSX Railroad tracks and Metropolitan

Grove Road and south of Interstate 270, and is bounded on the west by County land (known as the McGown tract) and to the east by City parkland and several privately owned properties zoned MXD.

The Site is located within the Casey-Metropolitan Grove Road Special Study Area 7 of the 2003 Land Use Element of the City of Gaithersburg Master Plan. Three alternative development scenarios were recommended for development for the Site: Office with a Commercial Component; Private Arts, Entertainment and Education Center, Mixed Use Office-Residential with a Commercial Component. The adopted Master Plan designated the Site as "mixed use residential-office-commercial" with the zoning classification to remain MXD.

The current use of the Site is forest and active agriculture. The Site is surrounded by a number of different land uses that include: office, research and development, multi-family units, single-family attached units, and industrial (vehicle storage) uses. Many of the surrounding properties are publicly owned by: the City of Gaithersburg, Maryland State Highway Administration, and Montgomery County.

B. Current Application:

On August 4, 2004, the applicant, Peter Henry, on behalf of B. P. Realty Investments, submitted an Amendment to Sketch Plan Application, for approximately 125 acres of property known as the Betty B. Casey property. This Site is located between the CSX Railroad tracks and I-270, north of Metropolitan Grove Road. The file number and name for the amendment to sketch plan application are Z-297 and Casey Metropolitan West, respectively.

Of the three development alternatives allowed for the Site per the Casey-Metropolitan Grove Road Special Study Area 7 of the 2003 Land Use Element to the Master Plan, the applicant has chosen the "Mixed Use Office-Residential with a Commercial Component" alternative. The Master Plan designates as one of the land use recommendations for the Site "mixed use residential-office-commercial" with the zoning classification to remain MXD.

The originally submitted Z-297 application proposed three (3) mixed-use development options, referred to as Option 1, Option 2, and Option 3, of differing scenarios that include single-family attached and detached residential units, 3-over-2 residential condominium units, multi-family residential units, high rise residential condominium units with first floor mixed commercial/retail, office buildings with first floor mixed commercial/retail, and a hotel/cinema complex. The Mayor and City Council and Planning Commission held a joint public hearing on the Z-297 application on October 18, 2004 at which time evidence was received on the subject application.

During the public hearing, the applicant and applicant's representatives presented and discussed the Casey Metropolitan Grove Special Study Area 7, the location of the Site within the Study Area 7, the Study Area 7 development scenarios, the applicant held charrette, and the applicant's desire and reasons to develop the Site following the Mixed Use Office-Residential with a Commercial Component alternative of the Master Plan. Furthermore, the applicant's representatives presented and described the three proposed mixed-use development options of the sketch plan application, including environmentally sensitive areas, open/green space, Watkins Mill Road extended and interchange, development densities, the existing MARC and proposed Corridor Cities Transitway (CCT) stations, proposed land uses, Metropolitan Grove Road crossing of the CSX tracks, and consistency with the Master Plan. There were several speakers from the public that shared their concerns and issues with the applicant's charrette process, impact on schools, impact of development on other commercial/retail centers within the City, design of the plan, proposed densities, and traffic impacts. At the conclusion of the joint public hearing, the Planning Commission agreed to hold their record open indefinitely and the Mayor and City Council also agreed to hold their record open indefinitely.

Following the public hearing, the applicant proceeded to address many of the City and community concerns. As a result, the proposed sketch plan was revised, per Section 24-198(c)(1), and a new option, referred to as Option 4, was presented at the Mayor and City Council and Planning Commission joint work session held on March 14, 2005. The Option 4 mixed-use development plan includes single-family attached and detached residential units, 2-over-2 residential condominium units, high rise residential condominium units, commercial office and hotel use, each with mixed commercial/retail use on the first floor and a cinema.

The main issues addressed by the Mayor and City Council and Planning Commission were school and traffic impacts. The Mayor and City Council and Planning Commission further expressed interest in the plan addressing open space, environmental impacts, phasing and staging of the plan, Watkins Mill Road extended and the Watkins Mill/I-270 Interchange.

The Planning Commission closed their record on the Amendment to Sketch Plan Z-297 as of March 31, 2005 and reviewed the four proposed mixed use development options at their April 6, 2005 meeting. Based on their review of the evidence, the Planning Commission found that the Z-297 application reflecting Option Four is in conformance with the MXD, Mixed Use Development of the City's zoning regulations. The Planning Commission further recommended the Option Four development proposal for the Amendment to Sketch Plan Z-297. This Option is more in keeping with the concept of a transit oriented development and meets the general intent of the 2003 Land Use Element of the Master Plan and Housing Policy. Consequently, the Planning Commission recommended approval of Option Four with the following conditions required of the applicant:

1. Applicant is to provide sketch plan notes on the plan including, but not limited to, zoning, intended uses, housing types and number of units, area of site, area of green space, area of open space, area of dedication, public water and sewer requirements, floodplain/wetland/natural features, and amenities, prior to submission of Schematic Development Plan (SDP);
2. Applicant is to depict and denote the area, boundaries, and floor area ratio (FAR) intended for commercial/ employment/industrial development on the sketch plan. The FAR is not to exceed 0.75, per §24-160D.4;
3. Applicant is to provide and depict the necessary connections and easements to the McGown tract (to the west), to the Devlin tract (to the south) and to Metropolitan Grove Road on the sketch and SDP plan;
4. The Development Staging and Phasing, Transportation Improvements, Staging Objectives and Project Goals, and Development Assumptions sections as stipulated above on pages 122-126 of the Casey-Metropolitan Grove Road Special Study Area shall be part of the staging and phasing of any development proposed for this sketch plan (Z-297), regardless of the land use option chosen. The staging, phasing and density of development are to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the nine adopted Master Plan Themes. The implementation of staging elements for this study area will be controlled by the approval process for the Mixed Use Development (MXD) Zone through the schematic development plan (SDP) approval process;
5. Phasing of development and the total square footage and number of housing units for each phase will be determined in accordance with the adopted Master Plan Themes during the SDP process and will not be approved until a traffic impact study is submitted and its conclusions acceptable to the City and its traffic engineer;
6. An appropriate range of potential housing units is to be provided at this time is 465-485 single-family detached, single family attached, and two-over-two dwelling units and 550-590 high-rise condominium units. The final unit count and density will be determined during the SDP approval process;
7. Applicant is to submit a concept stormwater management plan to the DPWPM&E with the submission of an SDP. Staff strongly recommends the use of a wet pond for this development; and
8. Applicant is to depict and denote all landscaped areas, proposed conceptual screen planting, open space plazas, malls, courts, recreation and amenity areas.

C. Evaluation and Findings

The City Council agrees with the findings, conclusions and recommendations of approval of Option Four by the City Planning Commission and City staff. The City Council finds those recommendations to be well reasoned and adopts and incorporates their findings as part of this action. The City Council further agrees with the Planning Commission in that the procedures governing the application for the MXD Zone and approvals necessary to seek building permits are subject to a multi-step process and that this is only the first step of the process, that subsequently includes Schematic Development Plan and Final Site Plan reviews and approvals.

In reviewing the subject application for the approval of Amendment to Sketch Plan Z-297 Option Four, the City Council finds the application and development proposal meets or accomplishes the purposes, objectives, and minimum standards and requirements of the zone of the MXD Zone that are set forth in Chapter 24 Article III Division 19 of the City Zoning Ordinance.

The City Council finds that the application meets the submission requirements for a sketch plan in that: 1) the applicant filed, together with the prescribed application fee, an application for approval of a Sketch Plan pursuant to the provisions of section 24-196 of this Code; 2) the sketch plan depicts the boundaries of the entire tract or parcel; 3) the sketch plan provides generalized location of existing and proposed external roads and adjacent land use and development; 4) the sketch plan provides generalized location and description of various internal proposed land use components, including general information as to proposed densities and intensities, proposed size and heights of development; 5) the sketch plan provides generalized location, description and timing of proposed roads, proposed dedicated public lands and perimeter setback or buffer areas; 6) the sketch plan provides proposed phasing or staging plan of development, public facilities and information regarding such plan's consistency with provision of master planned and other necessary public facilities; 7) the sketch plan describes generalized area of woodlands, streams and watercourses and other areas intended for natural preservation, as well as an approved natural resource inventory/forest stand delineation, as defined in Chapter 22 of this Code, and required by section 22-7 thereof; and 8) the sketch plan demonstrates general compliance with master plan recommendations for the property, including any special conditions or requirements related to the property set forth in the master plan.

The City Council finds that the application for sketch plan approval as currently amended fulfills the purposes and objectives of the MXD Zoning of this property and will in this regard implement the City Master Plan recommendations for a multi-use development on this site, properly staged to mitigate impacts on public facilities in an orderly fashion. The variety of housing types and uses proposed encourage the opportunity for flexibility and coordination of architectural style. Commercial retail components are integrated into both high

density residential and office components, in close proximity to lower density residential areas demonstrating an internal compatibility. The density of the project is consistent with density envisioned in close proximity to the Corridor Cities Transitway (CCT) to more effectively support the planned future use of mass transit. Opportunities are present in the sketch plan to provide recreational amenities such as a cinema and other recreational areas including open space and park areas. The sketch plan will provide a superior natural environment by the preservation of substantial treed areas and other natural features. Compatibility of proposed land uses and such features as signage internal to the site will be ensured through subsequent schematic development plan and site plan approvals which must conform to the subject sketch plan. External compatibility is presented in terms of nature and intensity of use consistent with the adjacent publicly owned land and office, research and development and residential uses and transportation facilities. The ability of the City Council to approve a plan for a large area such as the subject property provides greater control over site planning and site design and control of public facilities impacts than if the property were separated into numerous smaller sites and subject to development approvals under conventional zoning categories without the opportunity to coordinate access or integrate various uses. The subject plan encourages the efficient use of land by integrating various types of land use in close proximity to one another with opportunity for improved pedestrian circulation near a proposed transit stop to reduce reliance on the automobile. Also the plan reflects convenient pedestrian access will preserve forested areas, open space and provide recreation facilities. Finally the development will be phased to allow for a more gradual impact on public facilities and the ability to bring on-line added road and school facilities during the life span of this plan.

The City Council finds the subject application and the Option Four development proposal to be in accordance with one of the alternative land use recommendations of the 2003 Master Plan Land Use Element. Further, the sketch plan is consistent with relevant special conditions and requirements contained in said master plan, and is consistent with the principles established for development in the City's Smart Growth Policy. The mix of residential uses will provide a range of housing types and designs along with employment, retail and recreational opportunities integrated into the project, all in close to each land use and in direct proximity to an extensive road network and planned transit facilities which epitomizes the master plans vision of the MXD Zoning development of the property.

The Sketch Plan meets the ten (10) acre minimum area requirement of the MXD Zone by containing 125 acres and the zoning ordinance locational requirements being adjacent to Metropolitan Grove Road, I-270 and the future extension of Watkins Mill Road. The access is adequate based upon recent traffic studies more fully explained below. Traffic circulation will be adequately accommodated without directing traffic through any established residential

communities to cause any adverse impact on surrounding areas. Interior site traffic circulation will provide adequate vehicular access to all parts of the proposed development without creating points of congestion. Public water and sewer service presently serves adjacent development and is available to this site. No inadequacy or other concerns with respect to the provision of these facilities has been identified in the record.

The City Council finds that the Option Four sketch plan will be internally and externally compatible and harmonious with these existing land uses and planned land uses in the MXD zoned areas and adjacent areas. The Site is surrounded by a number of different land uses that include: office, research and development, multi-family units, single-family attached units, and industrial (vehicle storage) uses all of which are permissible use in the MXD zone. There are also many surrounding properties that are publicly owned by the City of Gaithersburg, Maryland State Highway Administration, and Montgomery County.

The City Council further finds that the level of development reflected by the Option Four development proposal for Z-297 can be accommodated adequately by existing and planned public facilities with the proper phasing and staging of the development. There is no evidence to indicate that public water, sewer, and transportation facilities could not adequately handle the needs of this development. To the contrary, it appears that the capacities of the public facilities are adequate to handle the impact of this development in a safe and efficient manner.

The City Council concurs with the summary of findings and recommendations of the applicant's submitted traffic study prepared by The Traffic Group, Inc. in that the proposed development of the Casey West project Option Four would not have an adverse effect on the nearby road system with the implementation of the improvements outlined in the report. The traffic study analyzed two phases, the initial phase (year 2010, before the Watkins Mill Road Interchange) and the final phase (year 2011, after the Watkins Mill Road Interchange). SHA currently has a MD 117 Corridor Congestion Relief Study which has scheduled road improvements in three phases along MD 117 in the study area. The analyses in the traffic study takes into consideration the road improvements by SHA; however, the study appropriately does not include any traffic relief that would be associated with the existing MARC station and the proposed Corridor Cities Transitway station. To consider such improvements at this stage would not provide a realistic analysis of present and near term traffic conditions.

Intersection Capacity Analyses were conducted to determine the existing and projected Levels of Service (LOS) for each of the following study area intersections: MD 117 and Longdraft Road, MD 117 and Watkins Mill Road/Pheasant Run Drive, MD 117 and Tech Park/Bowl America, MD 117 and Metropolitan Grove Road/Twelve Oaks Drive, MD 117 and Firstfield Road, and MD 117 and MD 124. In addition, capacity analyses were also conducted for the Watkins Mill Road and the two access points into the site. Capacity analysis was also conducted for the three major intersections internal to the site.

The results, recommendations and conclusions of the traffic study analysis indicate, that both phases of this development are projected to operate at satisfactory Levels of Service during the peaks periods - with one exception. The exception is the intersection of MD 117 and Watkins Mill Road/Pheasant Run Drive during the evening peak period. At this location the developer will be required to construct a second southbound Watkins Mill Road left turn lane. With this improvement the intersection of MD 117 and Watkins Mill Road/Pheasant Run Drive is projected to operate at a satisfactory level of service.

The City Council concurs with the finding of Montgomery County Public Schools (MCPS) staff that the current Montgomery County Annual Growth Policy schools test finds capacity adequate in the Quince Orchard cluster (where Casey West is located). This means that subdivision approvals in the county portion of this cluster area may go forward for the current fiscal year. While the Mayor and City Council does not believe the current Montgomery County Annual Growth Policy is as restrictive on school capacity as it should be, they recognize that Montgomery County is the level of government responsible for providing schools for our citizens. The schools that currently serve the proposed development are Brown Station Elementary School, Kingsview Middle School and Quince Orchard High School. Beginning in August 2005, the middle school assignment for the proposed development will change to Quince Orchard Middle School #2 providing relief at the middle school level.

Information obtained from Montgomery County Public Schools (MCPS) indicates that enrollment projections show that upon build out of Phase 1, the development will generate 67 to 140 elementary school students, 19 to 57 middle school students, and 29 to 72 high school students. Student generation from the Phase 3 condominiums were not analyzed given that these units will not be developed until the Corridor Cities Transitway is under construction. Actual space will be available at Brown Station Elementary School and Quince Orchard Middle School #2 throughout the six-year forecast period. At the high school level, enrollment projections show Quince Orchard High School over capacity throughout the forecast period. A new high school is needed and planned in the central portion of the County. MCPS is currently working with the Maryland-National Capital Park and Planning Commission on possible locations for an additional high school site as part of their work on the Shady Grove Sector Plan and the Gaithersburg Vicinity Master Plan. The Mayor and City Council will continue working with the Board of Education and Montgomery County to identify a suitable site for this high school. With the phased build out of the project which will be refined during the Schematic Development Plan process, this issue will be addressed in greater detail. It is envisioned that this issue will necessitate a cooperative effort between the City, County, MCPS and the applicant.

In conclusion, the City Council finds Z-297, as submitted in accordance with Section 24-160D.11 and hereafter conditioned, is in the public interest and should be approved due to the presence of sufficient evidence in the record to indicate that the subject Amendment to Sketch Plan has accomplished the purposes of the MXD Zone, reflects an internally and externally compatible form of development, and is consistent with the purpose of the 2003 Master Plan Land Use Element and the Smart Growth Policy, as well as generally accepted city planning and land use policies, subject to the applicant complying with the conditions stated in this Ordinance.

AMENDMENT TO SKETCH PLAN Z-297

ORDINANCE

NOW, THEREFORE BE IT ORDAINED by the City Council of Gaithersburg, that Z-297, being an application filed by BP Realty Investment, Inc., requesting approval of Amendment to Sketch Plan Option Four is hereby approved with the following conditions required of the applicant:

1. The approved residential unit count for this sketch plan is 435 to 445 dwelling units outside the urban core, and 37 units abutting the urban core. An additional 252 condominium units in a residential tower will be permitted in the urban core, and a 272 unit residential condominium shall be permitted to the east of the urban core upon construction of the Corridor Cities Transitway adjacent to the site. The locations of dwelling units located outside of the urban core may be adjusted during SDP and site plan review due to planning and engineering issues such as grading problems and to minimize the need for retaining walls.
2. Major community amenities including club house, swimming pool, tennis court, and basketball court must be completed prior to the issuance of the building permit for the 150th unit. Additional parks, tot lots, and paths shown on the plan must be completed as the nearby housing units are completed.
3. The approximately 14 acres of parkland indicated on the western portion of the plan must be dedicated to the City of Gaithersburg on or before the issuance of the first building permit.
4. Applicant to place sketch plan notes on the plan for zoning, intended uses (commercial, residential, etc.), housing types and number of units, area of site, area of green space, area of open space, area of dedication, public water and sewer requirements, floodplain/wetland/natural features, amenities, etc. prior to submission of Schematic Development Plan (SDP).
5. Applicant to depict and denote the area, boundaries, and floor area ratio (FAR) intended for commercial/ employment/industrial development on the sketch plan. The FAR is not to exceed 0.75, per Section 24-160D.4.
6. Applicant to provide a conceptual utility plan with submission of SDP. Utility locations shall be located to the rear of all lots. Visible front hook ups shall not be allowed.

7. Applicant to provide an Art in Public Places (AIPP) plan to be approved by City staff and AIPP committee with submission of SDP.
8. Applicant to minimize the use of the several retaining walls proposed throughout the site during the SDP process.

Transportation

9. Phasing schedule for internal road construction and off-site traffic improvements to be determined at SDP.
10. Emergency egress road providing linkage from development to the existing Metropolitan Grove road to be delineated at SDP, and constructed prior to the issuance of the building permit for the 150th dwelling unit. (Emergency egress road will be blocked by bollards once completed and only removed at the direction of the City Manager or Public Safety officers.)
11. Applicant to submit a conceptual bus route plan with submission of SDP. Bus stop shelter locations must be identified during the SDP process and shall be standard City shelters. The applicant shall undertake a study of the possibility of providing a "central" regional bus terminal within the development. All bus shelter locations and routes must be reviewed and approved by Montgomery County Ride-On. The applicant should begin working with Montgomery County on these locations during the SDP process.
12. Applicant to provide road code applications and fees with a detailed report and plan regarding any necessary road code waivers request throughout the development with submission of SDP. Applicant shall continue to work with staff to refine the roadway and alleyway designs.
13. Applicant to provide a conceptual plan for the CCT parking and station to be reviewed by MTA and City staff with submission of SDP. Obtain comments from MTA regarding the design of the development adjacent to the CCT right-of-way.
14. Developer shall be required to participate to up to 50 percent of the cost of (1) upgrading the existing at grade crossing at Metropolitan Grove Road and the CSX tracks, or (2) relocating the crossing as shown south of the parking deck that parallels the CSX tracks if the City determines such relocation is desirable and CSX approves relocation. Developer participation in either scenario would be capped at \$250,000.

Vehicular/Pedestrian Circulation

15. Applicant to denote and depict which streets will be private or public with submission of SDP.
16. Applicant to provide and depict on the SDP the necessary connections and easements to the McGown tract (to the west), to the Devlin tract (to the south) and to Metropolitan Grove Road on the sketch plan and SDP plan.
17. Applicant to work with staff on location of paths, sidewalks, nature trails, and other such recreational or pedestrian paths extending to and from the site and through the site during the SDP process. Depict and denote all

pedestrian/recreational paths. Proposed internal connection trails should provide multi-use paths. The pathway should allow for access to connect McGown Tract (westside of site) to Metropolitan Grove Road (eastside of site).

18. Applicant to depict on the SDP and provide signs for path system similar to those approved for the Lakelands.
19. Applicant to continue to refine the roadway and alleyway designs to include and highlight on the SDP appropriate traffic calming measures and pedestrian crosswalks throughout the development. Special features and road surface materials should be provided for pedestrian crosswalks to be reviewed and approved by staff at SDP stage.
20. Applicant to demonstrate as part of the SDP how garbage and recycling pick-up and emergency vehicle access is to occur for all residential and commercial lots. As part of this requirement, demonstrate how vehicles servicing residential lots with access only to an alley can adequately access, turn-around, and exit the alleys in a forward motion.
21. Applicant to submit to the City for review and approval an on-site directional/regulatory signage and lane striping plan including a truck circulation plan, proposed truck routing and truck signage prior to SDP approval. Emphasis shall be placed on minimizing truck impact on residential uses.
22. Applicant to demonstrate that the plan complies with all American with Disabilities Act (ADA) requirements.
23. Applicant to provide for all residential housing to front on a minimum 5' sidewalk. Sidewalks must have access to a public street and pedestrian/recreational path system.
24. Applicant to provide specific types and details of safe pedestrian crossings to/from parking structure and CCT station during the SDP process.
25. Applicant to reflect in the SDP ample bike facilities (such as, but not limited to, racks, and rest areas) and their locations throughout the development during the SDP process.

Parking

26. Applicant to provide parking calculations and a parking distribution plan during the SDP process. The project must meet the standard off-street parking requirements as stipulated in the Zoning Ordinance.
27. Applicant to develop an employee parking program which shall include areas to be designated for employee parking, signage thereof, and lease requirements therefore and enforcement mechanisms to be approved during the SDP process.
28. Applicant to provide a shared parking agreement that meets the requirements of the Zoning Ordinance to be reviewed and approved during the SDP process.
29. Applicant must permit the Maryland Transit Administration to add up to 800 parking spaces to the parking garage adjoining the Corridor Cities Transitway Alignment; however, the applicant will not be responsible for the costs of these additional spaces.

Phasing

30. The project shall be phased as follows:

Phase 1 commences at approval of SDP and shall permit the following:

Year One - 97 Residential Units and 10,000 sf of commercial space outside the urban core and one hotel within the urban core.

Year Two - 97 Residential Units outside the urban core and one condominium building in the urban core.

Year Three - 97 Residential Units outside the urban core, two office buildings and 50,000 sf of cinema or retail in the urban core.

Year Four - 97 Residential Units outside the urban core.

Year Five - Balance of approved residential units (except for Phase 3 condominium tower) and one office building within the urban core.

Completion of construction in any one year may overlap into a subsequent year as long as permits have been issued for all construction in the prior year.

Phase 2 commences at beginning of construction of the Watkins Mill Road Interchange and shall permit the following:

Hotel located along Watkins Mill Road.

Three commercial pad sites between Watkins Mill Road and the urban core.

Three office buildings within the urban core.

One retail anchor within the urban core.

Phase 3 commences upon the beginning of construction of the Corridor Cities Transitway and shall permit the following:

The remaining office building.

The second condominium building.

Stormwater Management

31. Applicant is to submit a concept stormwater management plan to the DPWPM&E with the submission of an SDP. The stormwater management plan shall, where feasible, incorporate the use of a wet pond for this development.

Environmental

32. Developer, working with the City, the town architect, and a developer retained LEED certified professional shall incorporate architecturally acceptable and commercially reasonable LEED elements into the core systems of the office and condominium towers within the urban core.

33. Applicant to obtain approval of the preliminary Forest Conservation Plan (FCP) during the SDP process.

34. Applicant to address all outstanding NRI/FSD conditions of approval during the SDP process. The natural resources/wildlife management plan shall be implemented prior to grading or clearing of site. The applicant, where feasible, shall use landscape berms as opposed to structures as part of its noise abatement plan.
35. Applicant to provide stream stabilization plan to be reviewed and approved by staff during the SDP process.

Architectural Design

36. Applicant to provide written design guidelines similar in scope and detail to that of Kentlands and Lakelands Design Codes during the SDP process, per Sections 24-160D.12 and 24-160D.13, of the Zoning Ordinance. These design guidelines shall include, but not limited to, the appearance of buildings and structures, configuration of building elements and type of building materials, lot layout, building/structure setbacks and lot coverage, location and type of accessory buildings/structures, and type and nature of accessory uses. The design guidelines should provide a unique style for this development. Architectural materials and features should be of higher standard than conventional subdivision development and provided on all sides of structures due to the urban setting of the plan. The sides and rear of buildings must also meet a higher architectural standard and must be reviewed and approved by the Planning Commission. The Commission staff may require corner lots to provide enhanced architectural conditions.
37. Applicant to demonstrate that roadway views terminate at a structure and/or public amenity at the time of SDP.

Signage

38. Applicant to provide a signage package, per Section 24-160.D.2.(e) of the Zoning Ordinance, that follows a thematic approach during the SDP process. Staff shall review and approve all signage, in accordance with approved sign package, contemplated for the development. Community or development signage must be approved at SDP stage. All building signage must be approved at final site plan stage.

Amenities/Landscaping

39. Applicant to provide a proposed covenant, per Section 24-160.9(c)(5) of the Zoning Ordinance, subject to review by the City Attorney and City staff, indicating how the development area will be included in any homeowner's association or other organization, and how any open space, community space or amenities located within the area, will be perpetually maintained during the SDP process.
40. Applicant to depict and denote on the SDP all landscaped areas, proposed conceptual screen planting, open space plazas, malls, courts, recreation and amenity areas.
41. Applicant to provide as part of its SDP, provision for a landscaped berm, where possible, along Watkins Mill extended to buffer and screen all residential uses from Watkins Mill Road extended.

42. Applicant to provide a swimming pool that is sized in accordance to Montgomery County Health Department, IBC and BOCA standards at SDP stage.

ADOPTED by the Mayor and City Council of Gaithersburg, Maryland, on the 18th day of April, 2005.

SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg on the 18th day of April, 2005. APPROVED by the Mayor of the City of Gaithersburg this 18th day of April, 2005.

THIS IS TO CERTIFY that the foregoing Ordinance was adopted by the City Council in public meeting assembled on the 18th day of April, 2005. This Ordinance will become effective on the 9th day of May, 2005.

David B. Humpton, City Manager

INDEX OF MEMORANDA

Z-297

As of 04/14/05

Applicant: BP Realty Investments, LLC
Attn: Peter J. Henry
10000 Falls Road, Suite 100
Potomac, MD 20854

Subject Property: Betty B. Casey, Trustee, containing 125.2 acres of land

<u>Number</u>	<u>Exhibit</u>
<i>1</i>	<i>Amendment to the Zoning Map (Amendment to Sketch Plan) Application, signed by Peter J. Henry, as filed on 08/04/04</i>
<i>2</i>	<i>1-page document entitled, "Supplement to Local Map Amendment Application (Sketch Plan Amendment), Property of Betty B. Casey, Trustee" [note: appears to be dated in file tag line at bottom right "0804"]</i>
<i>3</i>	<i>5-page document entitled, "Casey Property West, P910, List of Adjoining & Confronting Property Owners" Submitted by Applicant with Amendment Application, dated 08/03/04</i>
<i>4</i>	<i>Notice to include legal ad for Joint Public Hearing in the September 22 and 29, 2004 issues of the Gaithersburg Gazette</i>
<i>5</i>	<i>Notice of Joint Public Hearing, sent September 21, 2004 to required parties (mailing list included)</i>
<i>6</i>	<i>Z-297 Amendment to Sketch Plan Development Options (Staff document)</i>
<i>7</i>	<i>Site Plan Drawing entitled, "Cover Sheet -- Casey Property West Metropolitan Grove---MXD Sketch Plan Amendment," Sheet 1 of 7 [marked as: "Preliminary Not For Construction"], as prepared by Rodgers Consulting, dated August 2004</i>
<i>8</i>	<i>Site Plan Drawing entitled, "Casey Property West Metropolitan Grove---Sketch Plan Option 1," Sheet 2 of 7 [marked as: Preliminary Not For Construction"], as prepared by Rodgers Consulting, dated August 2004</i>

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<u>Number</u>	<u>Exhibit</u>
9	<i>Site Plan Drawing entitled, "Casey Property West Metropolitan Grove---Sketch Plan Option 2," Sheet 3 of 7 [marked as: "Preliminary Not For Construction"], as prepared by Rodgers Consulting, dated August 2004</i>
10	<i>Site Plan Drawing entitled, "Casey Property West Metropolitan Grove---Sketch Plan Option 3," Sheet 4 of 7 [marked as: "Preliminary Not For Construction"], as prepared by Rodgers Consulting, dated August 2004</i>
11	Site Plan Drawing entitled, "The Parklands---Amended Natural Resources Inventory/Forest Stand Delineation," Sheet 5 of 7 as prepared by Rodgers Consulting, dated 02/01
12	Site Plan Drawing entitled, "Property Acquired by Betty B. Casey, et al, Trustees----Boundary Survey," Sheet 6 of 7 [marked as: "Preliminary Not For Construction"], as prepared by Rodgers Consulting, dated February 2001
13	Site Plan Drawing entitled, "Casey Property West Metropolitan Grove----Preliminary Forest Conservation Plan," Sheet 7 of 7, as prepared by Rodgers Consulting, dated August 2004
14	Certified legal ad from the September 22, 2004, issue of the <i>Gaithersburg Gazette</i>
15	Letter from Jody S. Kline, dated August 23, 2004
16	Facsimile verification to <i>Gaithersburg Gazette</i> for legal ad dated September 15, 2004
17	Facsimile from Douglas N. Carter, dated August 23, 2004
18	Adopted Casey/Metropolitan Grove Special Study Area
19	Sketch Plan Process Statement

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<u>Number</u>	<u>Exhibit</u>
20	<i>Mayor and City Council and Planning Commission October 18, 2004 Joint Public Hearing Cover (1 page)</i>
21	Traffic Impact Analysis for Casey West prepared by The Traffic Group, dated February 23, 2005
22	<i>Site Plan Drawing entitled, "Casey Property West Metropolitan Grove---Sketch Plan Option 4," Sheet 5 of 8 [marked as: "Preliminary Not For Construction"], as prepared by Rodgers Consulting, dated August 2004</i>
23	Letter from Gary Unterberg, Rodgers Consulting, Inc. to Mark DePoe, Director Long Range Planning, dated March 10, 2005
24	Transcript of October 18, 2004 Joint Public Hearing on Z-297 before the Mayor and City Council and Planning Commission
25	<i>Letter from Joseph Lavorgna, Director Department of Planning and Capital Programming MCPS, to Greg Ossont, Director of Planning and Code Administration, dated March 10, 2005 regarding student yields for Casey West development. (2 pages) Enclosure: Superintendent's Recommended FY2006 Capital Budget and Amended FY 2005-2010 CIP for Quince Orchard Cluster (6 pages)</i>
26	<i>Mayor and City Council and Planning Commission March 14, 2005 Joint Work Session Cover (1 page)</i>
27	<i>Planning Commission March 16, 2005 Announcement to close the record on March 31, 2005 Cover (1 page) Enclosure: Staff Comments (1 page)</i>
28	Letter from JoAnn Schminke, President West Riding Citizens Association, to Mayor Sidney Katz, dated March 22, 2005 (3 pages)
29	Letter from Wanda Harich, President Bennington Community Association, to Mayor Sidney Katz, dated March 24, 2005 (2 pages)

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<u>Number</u>	<u>Exhibit</u>
30	Memorandum to the Planning Commission regarding the staff analysis for the Z-297 Amendment to Sketch Plan application, dated March 31, 2005. (15 pages)
31	<i>Revised Site Plan Drawing entitled, "Casey Property West Metropolitan Grove---Sketch Plan Option 4", Sheet 5 of 8 [marked as: "Preliminary Not For Construction"], as prepared by Rodgers Consulting, dated March 2005</i>
32	Letter from Gary Unterberg, Rodgers Consulting, Inc. to Mark DePoe, Director Long Range Planning, dated March 31, 2005
33	Letter from Frank Bossong, Rodgers Consulting, Inc. to Peter Henry, BP Realty Investments, dated March 25, 2005 (2 pages)
34	Emails between Fred Felton, City of Gaithersburg Assistant City Manager, and Bruce Crispell, MCPS, dated March 28, 2005 (1 email) and March 31, 2005 (3 emails)
35	Memorandum to the Planning Commission from Greg Ossont, Director Planning and Code Administration, regarding Z-297 and Master Plan, dated March 30, 2005. (1 page)
36	Memorandum to the Planning Commission from Greg Ossont, Director Planning and Code Administration, regarding Z-297 MARC Usage dated March 30, 2005. (1 page)
37	Revised Traffic Impact Analysis for Casey West prepared by The Traffic Group, dated March 31, 2005 (Results, Recommendations and Conclusions, pages 39, 40, and 41)
38	<i>Planning Commission April 6, 2005 Recommendation to Mayor and City Council Cover (1 page)</i>
39	Letter from Linda Gore to Mayor and City Council and Planning Commission, dated April 7, 2005 (1 page)
40	Letter from Emily Barnes to Greg Ossont, Director Planning and Code Administration, dated March 21, 2005 (1 page)

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- 41 COMMUNICATION: PLANNING COMMISSION, dated April 7, 2005 (3 pages)**
- 42 Letter from Wanda Harich, President Bennington Community Association, to Mayor Sidney Katz, dated April 13, 2005 (2 pages)**
- 43 Letter from Mike Perrotta, (PB) State Highway Administration Project Manager, and Brian Horn, (RK&K) Consultant Project Manager, to Mark Depoe, Long Range Planning Director, dated April 14, 2005 (2 pages)**
- 44 Enlarged Option 4 development and phasing notes as they appear on the sketch plan (see Exhibit 31)**
- 45 Revised Colored Option 4 Plan entitled, "Casey Property West Metropolitan Grove---Concept Plan", depicting housing types and commercial core uses, as prepared by Rodgers Consulting, dated March 2005**
- 46 Facsimile from Simon Taylor, Director Office of Planning, to Mark Depoe, Long Range Planning Director, dated April 14, 2005 (3 pages)**

* All italicized exhibits were provided at the October 18, 2004 Mayor and City Council and Planning Commission Joint Public Hearing, March 14, 2005 Mayor and City Council and Planning Commission Joint Work Session, and April 6, 2005 Planning Commission Recommendation to Mayor and City Council.

West Riding Citizens Association

P.O. Box 3901, Gaithersburg, MD 20878

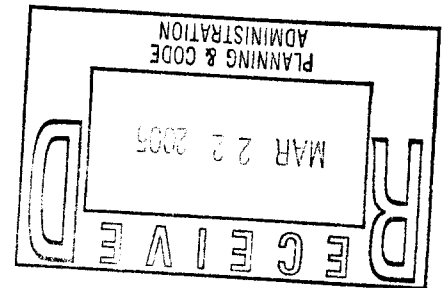
March 22, 2005

Mayor Sidney Katz
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, MD 20877

Dear Mayor Katz:

Subject: Casey Property West Metropolitan Grove (Z-297)

The following is my written testimony regarding the subject plan.



The Casey Property

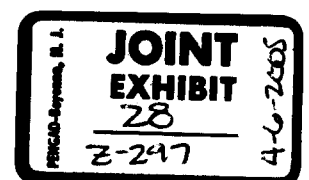
The 125 acres that will be developed is a beautiful piece of property located within the City limits. I was first introduced to this property in November 1993 during a tour with the Neighborhood Five Ad Hoc Liaison Committee. The committee departed from a City bus and crossed over the railroad tracks and down a slope for a better view of the land. Jody Kline, representative to the Casey family, was a member of the committee and felt we should observe the property even closer. Consequently, we were instructed to climb over a barbed wire fence so we could really walk this unique property. If I could have made a wish that day, I would have wished for Mrs. Casey to donate the land to the City as a park preserve. However, even in 1993, all the committee members and City staff knew that this property would eventually be developed.

BP Realty's Option #4 Plan

The latest plan presented to the City on March 14th has been the best plan year to date. There are only two areas I strongly recommend changing and will explain why.

Phasing Change

In 1994, four building phases were formulated by the Planning Commissioners for this property. However, the Watkins Mill Road extension over I-270 phase has since been dropped. Based on the current infrastructure in this area of Gaithersburg, I recommend that Phase 1 be limited to 500 residential units only. These would be the residential units on the outlying area of the core plan. During this phase of the plan, Clopper Road (Route 117) will be the only way into and out of the development. Anyone who has ever driven Clopper Road at rush hour knows the bottlenecks that quickly develop along this road. To reach I-270 North



or South from this development in the morning, residents will have to transverse **five** traffic signals. To reach the development from I-270 in the evening, residents will have to transverse **six** traffic signals. During Phase 1 of this development, the community is not transit oriented and residents will be forced to commute by car.

Once the Watkins Mill Interchanged is constructed, I recommend Phase 2 include the hotel, office buildings, condominiums, and balance of core.

Once the Corridor Cities Transitway is constructed, I recommend Phase 3 include the last of the office buildings and the final condominiums (per the present plan).

Land Development Change

I have read the City's Master Plan for this area and listened to many residents give heartfelt testimonies. According to the Master Plan under Development Assumptions, the land North of the CCT "will be used as parkland". However, in the Option #4 Plan, there are single-family homes and traditional townhomes shown in this area that has been designated parkland. In addition, when you look at the plan in its entirety, this portion of the plan looks like an appendage that shouldn't be there. I recommend that the Master Plan be respected and all land to the North of the CCT be left untouched and in its beautiful state.

Homes, Schools, and Children

Due to the fact that schools in this area of Gaithersburg are at full or near full capacity, there has been great concern expressed about how many children will live in this community. My name may not be Mary Charters, but I have worked in the real estate industry for seven years and I will pass on my experience with homebuyers. The housing type that attracts families the most are detached single-family homes. Second to this housing type, the home that attracts families the most is the traditional attached single-family home (3 level townhome with finished basement, preferably a walkout). Whenever we have dealt with homebuyers that have children, the desire for these two types of homes is extremely high. Many homebuyers are willing to relocate to Frederick County or obtain a "cash gift" from their parents in order to purchase these types of homes. Condominiums, hybrid townhomes, two over two townhomes, and four story townhomes are usually considered undesirable (too small, too many stairs, poor bedroom configuration, etc.) Because this plan does not offer many detached single-family homes or traditional attached single-family homes, there is less chance of attracting homebuyers with families which means less children.

Work Sessions

Before the City started televising its meetings, Work Sessions were held in the Gallery on the second floor of City Hall. I believe this room and its table arrangement lent itself to a productive Work Session atmosphere. However, due to camera limitations, Work Sessions are now held in the Chambers on the first floor of City Hall. The current seating arrangements in the Chambers does not promote the atmosphere that I believe the City is looking for when holding a Work

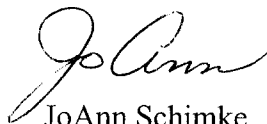
Session. I suggest that temporary tables be set up on the floor of the Chambers in a configuration that would allow seating for the Applicant, City Staff, and Council/Planning Commission members. This would allow all parties to be on the same level and hopefully feel more comfortable in discussing plan ideas and options. Extra chairs could be set up along the walls of the room to allow seating for interested citizens to observe the Work Session. It is, of course, the Mayor's prerogative to decide if comments from citizens will be taken during a Work Session and whether these comments should be kept brief or given a time limitation. Hopefully, this type of seating configuration would allow for more productive Work Sessions for all parties involved.

Thank You

I end my letter by saying **thank you** to all the people who have stayed involved in this plan for so many years. The dedication of everyone is really extraordinary and all should be commended for their participation and commitment to a better Gaithersburg.

Thank you for your time and consideration in this matter.

Sincerely,



JoAnn Schimke
President

/js

cc: Mr. Jud Ashman, Orchard Place Community
Mr. Mark DePoe, Long Range Planning Director
Mr. Bruce Goldensohn, Leafy Overlook Community
Ms. Linda Gore, Bennington Community
Mr. David Humpton, City Manager
Mr. Jody Kline, Attorney for BP Realty
Mr. Greg Ossont, Planning & Code Administration Director
Mr. Daniel Reeder, Game Preserve Road
Mr. Mike Sesma, West Riding Community
Ms. Demetria Simantiras, Pheasant Run Community
City of Gaithersburg Council Members
City of Gaithersburg Planning Commissioners

March 24, 2005

Mayor Sidney Katz
Gaithersburg City Council
Gaithersburg Planning Commission
31 S. Summit Ave.
Gaithersburg, MD 20877

Dear Mayor Katz, City Council and Planning Commission,

We would like to express our concerns over the new proposal for development of the Casey Tract/Metropolitan Grove (CY/MG) by BP Realty.

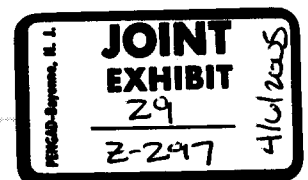
In some ways, the new plan submitted to the Gaithersburg City government on March 14, 2005, shows improvement. The layout of streets and the plan for commercial parking are well thought out, and the overall design shows greater attention to aesthetic issues than previous plans.

Severe problems remain with the project. BP Realty's plan contains a number of violations of the spirit and letter of the current Master Plan.

--The Master Plan states "required infrastructure improvements must be approved and funded publicly or privately for construction before development can proceed." There is currently no plan for increased school capacity in the area, in spite of current overcrowding and that which can be anticipated in the near term given already-approved development projects. BP Realty's plan would increase school overcrowding in the neighboring schools. (Since the proposal was submitted to Montgomery county Public Schools for comment, the number of units has been increased by 32%. We have therefore extrapolated MCPS's figures to reflect this increase.) Using MCPS's own figures as a base, calculations indicate that:

Brown Station would see an increase of 185 students. Conversations with Brown Station personnel indicate that the school is currently using all available classroom space. Given new state guidelines for smaller class size in elementary school classes, that translates to between 7 and 9 portable classrooms.

Quince Orchard Middle School #2 would see an increase of 75 students. Superintendent Weast has stated publicly that the new middle school will open at capacity. Therefore, this project would add approximately 3 portable classrooms at QOMS #2.



(2)

Quince Orchard High School would see an increase of 95 students. This would add approximately 3 portable classrooms to the 4 already in use at QOHS.


As has been their practice throughout our contact with them, Montgomery County Public School Planning staff have made their calculations about this project in isolation—not factoring in the burden from other approved and soon-to-be approved residential projects that would also impact our area. Therefore, MCPS’s statements regarding potentially available classroom space for pupils generated by this project must be taken with a healthy dose of skepticism.

--The new CT/MG project shows construction in land to be reserved as parkland. The Master Plan of 2003 states: “The northern portion of the study area located adjacent to the proposed Corridor Cities Transitway (CCT) right-of-way and bounded by City boundary to the north and the stream valley buffer to the south will be used as parkland.”

--Traffic and transit infrastructure improvements required for BP’s plan have not been fully funded. The Master Plan of 2003 requires this to be in place before development can proceed. In addition, BP Realty has provided a traffic study using their chosen consultants. We urge the City to require a truly independent traffic study before proceeding in any way with this project. It is impossible that the addition of 1,071 units of housing, 1,109,000 square feet of commercial space, and a 184 room hotel would not grossly overcrowd the roads of our area.

At the City’s request, many citizens from the Bennington Community participated in the Master Plan process. Throughout that process, you stood by your citizens’ best interests in matters of development. As officials of a Character Counts City, we ask that you continue to do so.

Sincerely,



Wanda L. Harich, President
Bennington Community Association

MEMORANDUM TO: Planning Commission

FROM: Mark DePoe, Long Range Planning Director

DATE: March 31, 2005

SUBJECT: Staff Analysis Z-297: Amendment to Sketch Plan (Z-278)

APPLICANT

BP Realty Investments, LLC
10000 Falls Road
Suite 100
Potomac, Maryland 20854

OWNER

Betty B. Casey, Trustee
800 South Frederick Avenue, #100
Gaithersburg, Maryland 20877

REQUEST

Peter Henry, of B. P. Realty Investments, submitted a proposal to amend Sketch Plan Application Z-278, for approximately 125.5 acres of property known as the Betty B. Casey property. This site is located between the CSX Railroad tracks and I-270, north of Metropolitan Road. The file number and name for the amendment to sketch plan application are Z-297 and Casey Metropolitan West, respectfully.

LOCATION



The Site, parcels P33, P211, P888 and P910, is located north of the CSX Railroad tracks and Metropolitan Grove Road and south of Interstate 270, and is bounded on the west by County land (known as the McGown tract) and to the east by City parkland and several privately owned properties zoned MXD

TAX MAP REFERENCE

Tax Sheet FT 13 and FT 22.

BACKGROUND

The Site was part of annexation application X-095 containing approximately 198 acres of land. These properties have been within the boundaries of the City of Gaithersburg for many decades. By the early 1950's, the properties were held by members of the Casey family, who provided land in 1955 for the construction of what is now Interstate 270. This split the largest parcel 910 into two, with I-270 running between the parcel.

Annexation File Number	Effective Date of Annexation	Action by Council	Resolution Number	Number Of Acres
X-095	05/31/1968	04/15/1968	R-8-68	198.0

The submitted Z-297 application proposed three (3) development options of differing scenarios that include single-family attached and detached residential units, 3-over-2 residential condominium units, multi-family residential units, office buildings with first floor retail, and a hotel/cinema complex. The Mayor and City Council and Planning Commission held a joint public hearing on the application on October 18, 2004.

Following the public hearing, staff and consultants from Torti Gallas and Partners, Inc. worked with the applicant to address many of the City and public concerns. As a result, the proposed sketch plan was revised and a new fourth option was presented at a Mayor and City Council and Planning Commission joint work session held on March 14, 2005.

The focus of this meeting will be to make a recommendation to the Mayor and Council based upon the fact that the Commission is an advisory body to the Mayor and Council in the Sketch Plan review process.

PUBLIC MEETINGS TO DATE

October 18, 2004 – Mayor and City Council and Planning Commission Joint Public Hearing
March 14, 2005 – Mayor and City Council and Planning Commission Joint Work Session

EXISTING LAND USE/PHYSICAL CHARACTERISTICS

The Site has not experienced development and are zoned MXD (Mixed Use Development) and contains several large pieces of property. The largest, part of P910, owned by the Betty B. Casey, Trustee, is roughly 100 acres.

The current use of the site is forest and active agriculture. The Site is approximately 125± acres and is 63% forested and 37% active agriculture. Forests found in this area range from mature hardwood forests dominated by Tulip Poplars and Red Oak *Quercus rubra* to mixed growth bottomland forests dominated by Silver Maple *Acer saccharinum* and Eastern Sycamore *Platanus occidentalis*. The slopes range from 0-25% with moderate slopes dominating and pockets of steep slopes scattered throughout. The soils found on site are dominated by Brinklow-Blocktown channery silt loam, Gaila silt loam and Glenelg silt loam. Approximately 3.60± acres have been identified as forested wetland and there are approximately 6.98± acres within the 100-year floodplain. The area of the Site is zoned MXD

The Site contains an intermittent stream with small pockets of forested wetlands and several ephemeral channels. The soils found on site are as follows: Gaila silt loam (1B,C), Glenelg silt loam (2B), Baile silt loam (6A), Brinklow-Blocktown channery silt loam (16C,D), Occoquan loam (17B,C), Hatboro silt loam (54A) and Blocktown channery silt loam (116E). The wetlands delineation found several wetland pockets within or near the Site. The Natural Resource Inventory Map identifies and

locates the wetlands. At the time of this NRI/FSD submittal a preliminary danger reach/dam break analysis has been started. However, due to the amount of information required to complete the danger reach/dam break analysis, including, but not limited to, locations of existing facilities, geometry of existing facilities and additional computations for the existing facilities, a full danger reach/dam break analysis can not be completed at this time. During site visits to the Site no rare, threatened, or endangered species of plants or animals were observed. The field observations conducted as part of this NRI/FSD study revealed that the Site contains the typical array of urban wildlife species. The Site contains multiple streams of varying quality. The Maryland Historical Trust (MHT) has concurred that there are no structures either listed on or eligible for the National Register of Historic Places within the Site.

The NRI/FSD report goes into further detail regarding Streams and Floodplains, Soils, Wetlands, Forests & Trees, Danger Reach/ Dam Break Analysis Rare, Threatened, or Endangered Species, Existing Wildlife, Stream Quality, Noise/Light Pollution, Significant Views or Vistas and Historical Significance. A copy of the report may be reviewed at the offices of the Planning and Code Administration and is part of the record file.

NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION

Rodgers Consulting, Inc. completed a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) report. The methodologies used to conduct the studies within this report conform to the methods and procedures set forth in the aforementioned Guidelines and Manuals. The wetland delineation was conducted in accordance to the United States Army Corps of Engineers (COE) 1987 laboratory. Wildlife inventories were conducted in accordance with methods and procedures accepted by the United States Department of the Interior, Bureau of Land Management and Fish and Wildlife Service. The NRI/FSD report and plan was submitted and approved on December 2, 2004 by Erica Shingara, City of Gaithersburg Environmental Specialist, for the Site with the following conditions:

1. A noise study is required per Section 34 of the Environmental Standards for Development Regulation.
2. A Wildlife Management Plan is required per Section 31 of the Environmental Standards for Development Regulation.
3. A Danger Reach/Dam Break analysis is required per Section 29 of the Environmental Standards for Development Regulation.
4. Wetland boundaries and associated buffers to be confirmed by the U.S. Army Corps of Engineers; a jurisdictional determination (J.D.) request is pending review.

The boundary survey for the Site was prepared by Rodgers Consulting, Inc. Topography for the Site and surrounding areas shown was prepared aerially by Photographic Data Services.

PROPOSED USE

The applicant, BP Realty Investments, LLC, seeks approval for the Amendment to Sketch Plan Z-297. The amendment to Sketch Plan Application, Z-297 incorporates approximately 125.5 acres of part of property owned by the Casey Foundation and under contract to purchase to BP Realty Investments, LLC (the "Site") located between the CSX Railroad tracks and I-270, north of Metropolitan Grove Road. The remaining properties shown on this Sketch Plan are shown in accordance with the requirements of the Master Plan.

The amendment to sketch plan proposes four development options which includes single-family detached units, single family attached units, two-over-two condominium units, high-rise condominium units, a hotel, retail/commercial space, and office space to be developed as part of an integrated transit-oriented mixed use development known as Casey Metropolitan West. The following is a breakdown of the four options:

Z-297 Development Option 1

	Residential	Office	Commercial	Hotel/Cinema Complex
Stage A	- 49 SFD - 51 SFA - 478 3/2 TH	- 220,000 sq. ft.	- 20,000 sq. ft. retail/rest.	N/A
Stage B	- 100 3/2 TH	- 220,000 sq. ft.	- 20,000 sq. ft. retail/rest.	N/A
Stage C	N/A	- 530,000 sq. ft.	- 70,000 sq. ft. retail/rest.	- 250 room hotel with 60,000 sq. ft. cinema
Stage D	N/A	N/A	N/A	N/A
Stage E	N/A	N/A	N/A	N/A
TOTALS	- 49 SFD - 51 SFA - 578 3/2 TH	- 970,000 sq. ft.	- 110,000 sq. ft. retail/rest.	- 250 room hotel with 60,000 sq. ft. cinema

Z-297 Development Option 2

	Residential	Office	Commercial	Hotel/Cinema Complex
Stage A	- 49 SFD - 51 SFA - 478 3/2 TH	- 220,000 sq. ft.	- 20,000 sq. ft. retail/ rest.	N/A
Stage B	- 100 3/2 TH	- 268,000 sq. ft.	- 20,000 sq. ft. retail/ rest.	N/A
Stage C	N/A	- 478,000 sq. ft.	- 50,000 sq. ft. retail/ rest.	- 250 room hotel with 60,000 sq. ft. cinema
Stage D	N/A	- 230,000 sq. ft.	- 10,000 sq. ft. retail/rest.	N/A
Stage E	N/A	- 230,000 sq. ft.	- 10,000 sq. ft. retail/rest.	N/A
TOTALS	- 49 SFD - 51 SFA - 578 3/2 TH	- 1,426,000 sq. ft.	- 110,000 sq. ft retail/rest.	- 250 room hotel with 60,000 sq. ft. cinema

Z-297 Development Option 3

	Residential	Office	Commercial	Hotel/Cinema Complex
Stage A	- 49 SFD - 51 SFA - 478 3/2 TH	- 220,000 sq. ft.	- 20,000 sq. ft. retail/ rest.	N/A
Stage B	- 32 3/2 TH	- 226,000 sq. ft.	- 20,000 sq. ft. retail/ rest.	N/A
Stage C	- 220 MFC	- 498,000 sq. ft.	- 30,000 sq. ft. retail/ rest.	- 250 room hotel with 60,000 sq. ft. cinema
Stage D	- 220 MFC	- 230,000 sq. ft.	- 10,000 sq. ft. retail/rest.	N/A
Stage E	N/A	- 230,000 sq. ft.	- 10,000 sq. ft. retail/rest.	N/A
TOTALS	- 49 SFD - 51 SFA - 510 3/2 TH - 440 MFC	- 1,426,000 sq. ft.	- 110,000 sq. ft retail/rest.	- 250 room hotel with 60,000 sq. ft. cinema

Z-297 Development Option 4

	Residential	Office	Commercial	Hotel
Stage A	- 95 SFD - 196 SFA - 134 2/2 TH - 20 MSL - 37 UC TH - 252 MFC - 65 PC	- 493,450 sq. ft.	- 144,639 sq. ft. mixed use (retail/ rest./ commercial/ cinema)	210 room hotel w/meeting space and retail
Stage B	N/A	- 360,000 sq. ft.	- 14,400 sq. ft., mixed use (bank/service) - 80,600 sq. ft. mixed use (retail/rest.)	- 184 room hotel w/ assoc. uses
Stage E	- 276MFC	- 83,200 sq. ft.	- 20,300 sq. ft. mixed use (retail/rest./ service)	
TOTALS	- 95 SFD - 196 SFA - 134 2/2 TH - 20 MSL - 37 UC TH - 528 MFC - 65 PC	- 936,650 sq. ft.	- 259,939 sq. ft mixed use (retail/service/ commercial/ restaurant)	- 394 hotel rooms associated uses

Staging:

The staging corresponds with the Casey/Metropolitan Special Study Area: Staging Objectives and Project Goals. (see Transportation section below)

Residential Development:

SFD: Single Family Detached, 2-4 stories

SFA: Single Family Attached (Townhomes), 2-4 stories

2/2 TH: 2-over-2 Condominium Townhomes, 4 stories, 1 unit on floors 1-2 & 1 unit on floors 3-4

3/2 TH: 3-over-2 Condominium Townhomes, 5 stories, 1 unit on floors 1-2 & 1 unit on floors 3-5

MFC: Multi-Family Condominiums

PC: Penthouse Condominiums, located above hotel

MSL: Main Street Lofts, 4 stories, 1st floor retail/commercial and a residential unit for floors 2-4

UC TH: Urban Core Townhouses, 3-4 stories

Office Development:

Designated as buildings 1-9 on the plan for the first three options and A1, B3, C1 to C4 on the option four plan. To include first floor commercial/retail/restaurant uses.

Commercial Development:

Includes retail, restaurant and smaller professional office uses to be located on the first floor of the office buildings, hotels, high-rise condominiums, and the 20 main street townhouse lofts, as shown on the plan.

Hotel/Cinema:

Option 1 to 3 designated building 10 as the hotel/cinema complex (170,000 sq. ft. hotel and 60,000 sq. ft. cinema). Option four designates building B1 as the hotel and building A2 as the cinema.

DEVELOPMENT ASSUMPTIONS

As part of the adopted 2003 Land Use Element of the City Master Plan the proposed development is subject to the following development assumptions:

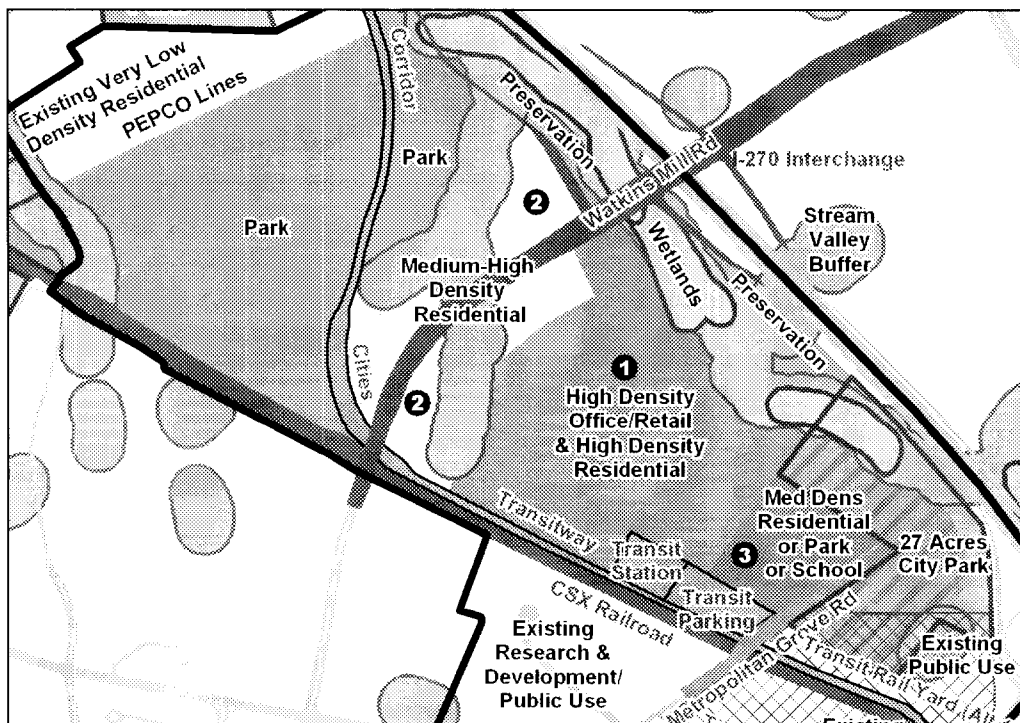
- A community charrette should be completed before development plan submission. A charrette agenda should be approved by the City.
- Provide property for transit right-of-way and transit station.

- Provide right-of-way for Watkins Mill Road extended.
- Provide right-of-way for I-270 Interchange.
- Preserve and maintain environmentally sensitive areas (stream valley buffer, wetland, floodplain, steep slope, etc.) and establish additional parks throughout the development that are outside of environmentally protected areas.
- The area located adjacent to the proposed Corridor Cities Transitway (CCT) right-of-way and bounded by City boundary to the north and the stream valley buffer to the south will be used as parkland.
- Provide pedestrian and bike connections to uses within and adjacent to the development.
- Incorporate green building development techniques.
- Innovative stormwater management techniques should be employed such as bio-retention ponds located within or near parking areas.
- At the time of each proposed development a traffic study shall be performed and must meet Transportation Theme requirements. The traffic study will be used to determine the required transportation improvements, traffic mitigation techniques and staging of these improvements that must be completed prior to any development.
- Required infrastructure improvements must be approved and funded publicly or privately for construction before development can proceed.
- Density of development to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the adopted Education and Transportation themes with recommendations from the City Planning Commission.

ZONING/LAND USE AND MASTER PLAN

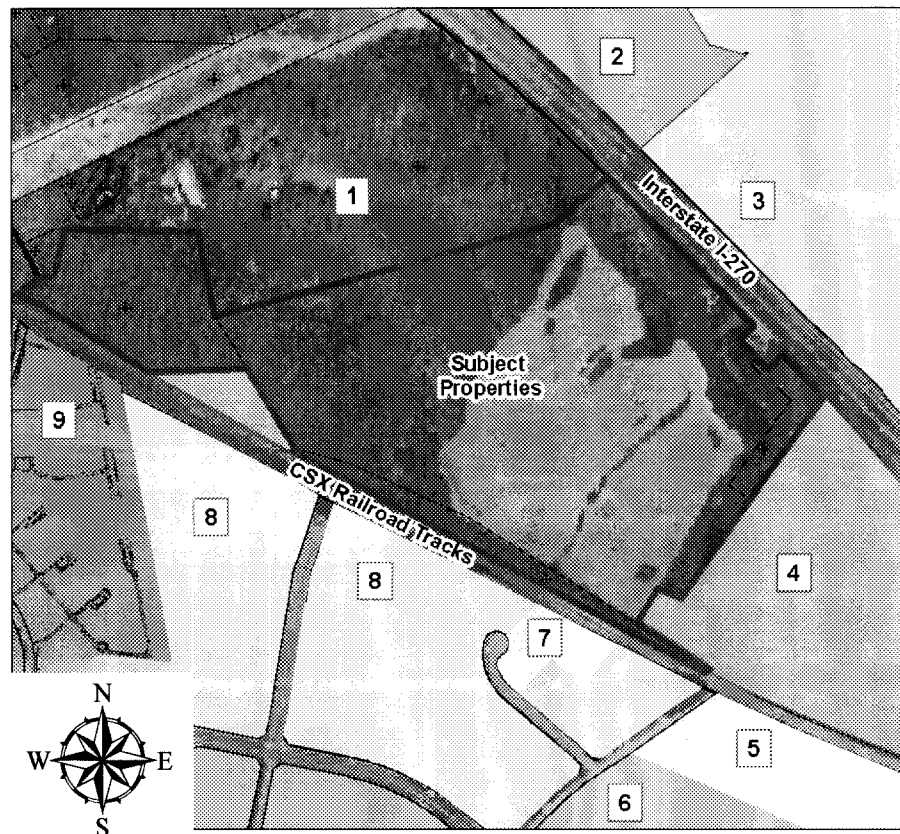
The Site is bounded by the CSX Railroad tracks to the south, MXD (Mixed Use Development) to the east, Interstate 270 to the north, and Montgomery County I-3 (Industrial Park) to the west.

The Property is located within the Casey-Metropolitan Grove Road Special Study Area 7 of the 2003 Land Use Element Master Plan. Three development options were approved for the property: Office with a Commercial Component, Private Arts, Entertainment and Education Center, and Mixed Use Office-Residential with a Commercial Component. The applicant has proposed to develop the Site following the Mixed Use Office-Residential with a Commercial Component:



The Master Plan designated the Site as “mixed use residential-office-commercial” with the zoning classification to remain MXD.

The Site is surrounded by a number of different land uses that include: office, research and development, multi-family units, single-family attached units, and industrial (vehicle storage) uses. There are many surrounding properties that are publicly owned by the City of Gaithersburg, Maryland State Highway Administration, and Montgomery County.



- | | |
|---|---|
| 1. Zoning: County I-3 (Industrial Park) | Land Use: Primarily Vacant w/ a few SFD units (McGown Tract) |
| 2. Zoning: City MXD (Mixed Use Development) | Land Use: Office (Humane Society) |
| 3. Zoning: City I-3 (Industrial Office Park) | Land Use: Office (Monument & IBM properties) |
| 4. Zoning: City MXD (Mixed Use Development) | Land Use: Primarily Vacant w/ few Industrial uses (City Park, County vehicle storage) |
| 5. Zoning: City R-A (Low Density Residential) | Land Use: Industrial (SHA storage) |
| 6. Zoning: City R-20 (Medium Density Res.) | Land Use: Multi-Family Residential |
| 7. Zoning: City R-A (Low Density Residential) | Land Use: Parking for MARC Station |
| 8. Zoning: City I-3 (Industrial Office Park) | Land Use: R&D and Office |
| 9. Zoning: City RPT (Medium Density Res.) | Land Use: Single-Family Attached |

Rodgers Consulting, Inc. has identified surrounding properties owned by others existing or proposed uses under City/County Master Plan shown as required under the Master Plan, but are for reference purposes only. The most significant are as follows: Area 40,46 & 49 - P707 (McGown)-zoned I-3, Area 48 (part), P21 (Devlin); Area 37, P138&404 (City of Gaithersburg)-Park; Parcel P435 (Montgomery County) - office/storage; Area 38D, P238, P241, P304, part of P342, and adjoining sliver tracks, Parcel P564 (State of Maryland), Parcel N384 (MTA), Area 38E, Part of P342 & P310, Portions of Parcels P N293, N459 & N 368.

TRANSPORTATION

Master Plan Transportation Improvements:

- West Watkins Mill Road, as an arterial roadway with a right-of-way that varies from 110 feet to 165 feet will be a maximum six-lane roadway with pedestrian and bicycle capacity. Two full movement access points will be reserved along West Watkins Mill Road for ingress/egress to the proposed development.
- The reservation of right-of-way for the construction of a transitway along the CSX railroad and the Metropolitan Grove MARC Rail Station, to traverse the proposed development, and continue north along Interstate 270 must be executed. This transportation improvement is crucial to accommodate the Corridor Cities Transitway (CCT), as well as the type of higher densities of development recommended in the study area and the Montgomery County Master Plans for Shady Grove and Germantown. An eight to ten feet hiker/biker path should be provided along the CCT.
- Direct access from Interstate 270, by way of an interchange, to link with West Watkins Mill Road is an important part of the transportation linkages. Pedestrian and biker access along Watkins Mill Road and past I-270 should be part of any development design.

Watkins Mill Road/Interchange (Traffic Study Information):

The site abuts I-270 and the future Watkins Mill Interchange to the north. The Watkins Mill Road extension is part of this application, and will extend through the site providing the primary access to the development and connection to the I-270 Watkins Mill Interchange. The Watkins Mill Road extension project will eventually connect Clopper Road (MD 117) to the south and Frederick Avenue (Route 355) to the north. Two full movement and one right-in/right-out access points are proposed along Watkins Mill Road extended. These access points were determined by the Maryland State Highway Administration (SHA) as part of their Watkins Mill Road extended and Watkins Mill Interchange design. The applicant has indicated that whatever the State determines to be the optimal layout in terms of traffic operations and roadway designs, the development roads will be adjusted to match.

Watkins Mill Road extended is designed as an Arterial Road, with an approved conceptual design from Maryland State Highway Administration requiring a proposed dedicated right-of-way that varies from approximately 133-165 feet. Watkins Mill Road Extended is designed to be a 6 lane road, resulting in a curb-to-curb measurement of that varies from 110-140 feet.

The applicant has submitted a traffic study prepared by The Traffic Group, Inc. for the proposed development. [see Exhibit 35] The following are the summary of findings and recommendations of the traffic study. The traffic study analyzed two phases, the initial phase (year 2010, before the Watkins Mill Road Interchange) and the final phase (year 2011, after the Watkins Mill Road Interchange).

SHA currently has a MD 117 Corridor Congestion Relief Study which has scheduled road improvements in three phases along MD 117 in the study area. The analyses in the traffic study take into consideration the road improvements by SHA; however, the study does not include any traffic relief that would be associated with the existing MARC station and the proposed Corridor Cities Transitway.

Intersection Capacity Analyses were conducted to determine the existing and projected Levels of Service (LOS) for each of the following study area intersections: MD 117 and Longdraft Road, MD 117 and Watkins Mill Road/Pheasant Run Drive, MD 117 and Tech Park/Bowl America, MD 117 and Metropolitan Grove Road/Twelve Oaks Drive, MD 117 and Firstfield Road, and MD 117 and MD 124. In addition capacity analysis were also conducted for the Watkins Mill Road and the two access points into the site. Capacity analysis was also conducted for the three major intersections internal to the site.

The results, recommendations and conclusions of the traffic study analysis are shown as Exhibit 36. These results indicate, that both phases of this development are projected to operate at satisfactory Levels of Service during the peaks periods - with one exception. The exception is the intersection of MD 117 and Watkins Mill Road/Pheasant Run Drive during the evening peak period. At this location

the developer will be required to construct a second SB Watkins Mill Road left turn lane. With this improvement the intersection of MD 117 and Watkins Mill Road/Pheasant Run Drive is projected to operate at a satisfactory level of service.

The Department of Public Works, Parks Maintenance & Engineering (DPWPM&E) staff has conducted a preliminary review of this traffic study and is in concurrence with the reports findings that "the proposed development of the Casey West project would not have an adverse effect on the nearby road system with the implementation of the improvements outline in this report." DPWPM&E is in the process of process of conducting a more comprehensive review of the data and methodology used in this study and will provide an update prior to Wednesday's (April 6, 2005) meeting.

A decision still needs to be reached on a variety of issues for this extension - who will build, what parts will be built, under what time frame, who will review, who will maintain. Up until this time we have always been under the impression the portion of Watkins Mill Road between the proposed interchange and Clopper Road will be developer funded. However, there has been discussion that Montgomery County may be considering funding a portion of or this entire roadway.

Corridor Cities Transitway:

The site abuts the CSX Railroad tracks, an existing MARC station and the proposed Corridor Cities Transitway (CCT) station to the south. The applicant is depicting the proposed CCT right-of-way, station and parking on the plan. The plan has been submitted to the Maryland Transit Authority (MTA) to review the proposed CCT right-of-way, station and parking locations. At this time, the City has not received comments from MTA regarding the CCT improvements.

Staff continues to meet with State and County representatives to ensure that the CCT and I-270 Watkins Mill Interchange projects are taken into consideration and the development does not preclude the planned improvements to the transportation network.

Internal Road System:

The Traffic Study found that the proposed on-site traffic circulation and site frontal intersections are analyzed and the analysis results indicate that site circulation and intersection and roundabout capacities are acceptable. The DPWPM&E is still reviewing and working with the applicant on the on-site traffic circulation.

The plan proposes a grid-type roadway network and provides roadway easements/connections to properties adjacent to the site. A main "loop" road extends through the site connecting the two major access points from Watkins Mill Road extended and acts as a minor collector road for the proposed residential, commercial, and offices uses. The on-site roadways vary from alleyways to two, four and six lane roadways. Many, if not all, of these roadways will require road code waivers to be granted by the City Council during the Schematic Development Plan process.

Staff is still concerned with the number of single-family detached and attached units that has frontage only on an alleyway, the length and number of units on many of these alleyways, overflow parking for these alleyway frontage only units, and the number of dead-end alleyways. Staff has researched the issue regarding the length and number of units on alleyways (some are dead-end alleyways) and has been unable to find a similar issue or design within the City. The applicant has made attempts to correct some of these concerns, however many still exist. Staff suggests that the design of these alleyway frontage only units and the driveway locations/designs for these units must be further reviewed and designed at the Schematic Development Plan process. Some solutions may be a limit on the width of the driveways, shared driveways, altered design to eliminate dead-ends, and a roadway section (curb and gutter, sidewalks, street trees) similar to a tertiary residential roadway (see Montgomery County road design) rather than an alleyway section.

Parking:

The applicant has stated that all of the single family detached and attached and two-over-two condominium units are providing the required number of parking spaces on-site. The parking for the majority of the office and first floor "urban core" retail/commercial uses will be provided in a parking

structure located adjacent and parallel to the CSX Railroad tracks along the south side of the site. The parking for the proposed hotel and high-rise condominium units will be provided in a structure below the buildings.

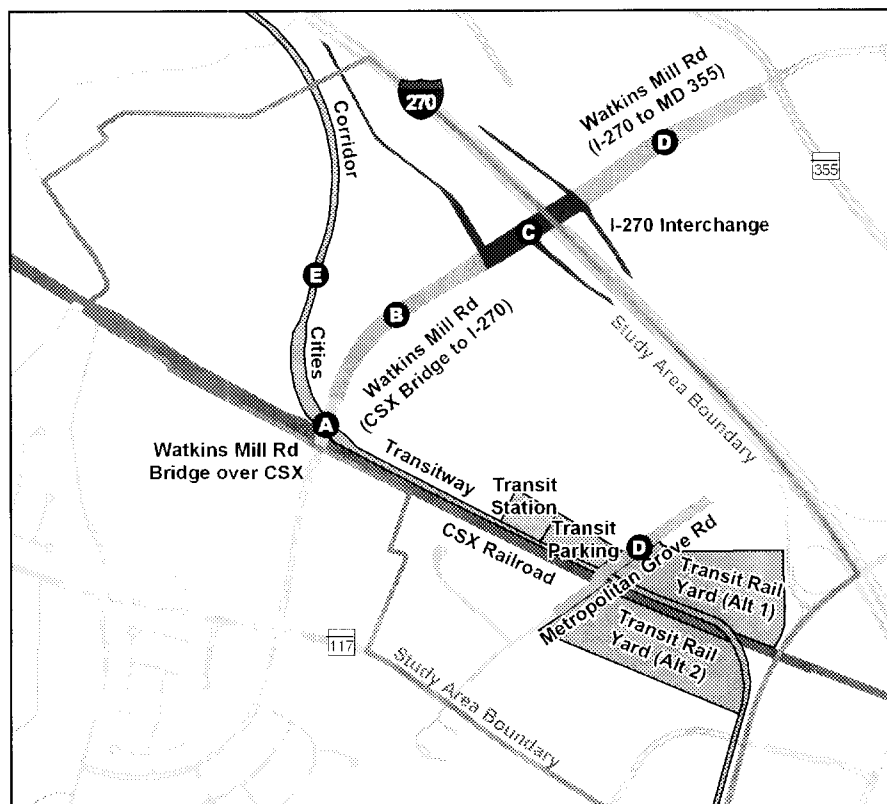
Staff is concerned with the lack of overflow parking for the alleyway frontage only units throughout the site. The applicant is attempting to provide additional perpendicular parking spaces along these alleyways. In addition, staff is concerned with the lack of parking spaces for the "main street" retail/commercial uses on the first floor of the townhouse loft structures.

Montgomery County Ride-On:

The proposed plan does not designated bus stop locations or routes at this time. The applicant should work with the Montgomery County Ride-On during the Schematic Development Plan process to determine potential bus stop locations and routes. Staff suggests that with the proximity of the MARC station and proposed CCT station a larger bus station/terminal may be needed within this development.

Staging Objectives and Project Goals:

- A.** Connection between the development and Clopper Road
Construction of bridge over CSX rail line and extension of Watkins Mill Road.
- B.** Additional Road Capacity for Future Watkins Mill Interchange at I-270
Completed extension of Watkins Mill Road between CSX rail line and I-270
- C.** Access to Interstate (I-270)
Completion of Watkins Mill Road and I-270 Interchange
- D.** Linkage to Frederick Avenue and Secondary Access to Site
Completed extension of Watkins Mill Road from I-270 to Frederick Avenue and extension of Metropolitan Grove Road to the site
- E.** Local Transit Access/Express Toll Lane (ETL)
Corridor Cities Transitway (CCT) constructed to Study Area and possible ETL from I-270 to Metropolitan Grove Road or CCT station [ETL location has not been determined]



STORMWATER MANAGEMENT

The applicant is proposing one large stormwater (wet) pond for the entire development. PWPME has reviewed and approved the conceptual stormwater plan for the Z-297 sketch plans. Groundwater recharge by the use of infiltration must be included on this site. PWPME would suggest the use of roof water for this purpose or you will have to pretreat the water before you put it in the ground. The final stormwater management design will continue to be worked on by the applicant and PWPME as the process continues for the proposed development. The final stormwater design must ultimately be approved by PWPME and Staff prior to the issuance of any on-site or building permits.

PHASING: MASTER PLAN

Per the 2003 Land Use Element of the Master Plan, phasing of development and the total square footage and number of housing units for each phase will be determined in accordance with the adopted Master Plan Themes and will not be approved until a traffic impact study is submitted and its conclusions acceptable to the City and its traffic engineer. A traffic impact study must demonstrate that critical intersections and links of roads (existing and planned) will operate at acceptable levels of service. The traffic generated by the proposed development, plus all approved subdivisions and all other current uses, shall be considered in determining whether critical intersections and surrounding roads operate at an acceptable level of service. The level of service standard, per the Transportation Theme, assumes that it is the level at which the transportation facilities will operate satisfactorily at maximum capacity. The traffic impact study should be prepared utilizing: (1) the standard ITE trip generation rates, (2) local trip distribution patterns based on good traffic engineering practices, and (3) the Critical Lane Analysis method to determine acceptable levels of service or any other method readily acceptable. The traffic impact study should also include what, if any, transportation improvements and/or mitigation measures would be employed to bring about acceptable levels of service. Additional information may be required during the course of review of any proposed plan for the area.

ENVIRONMENT

The plan meets or exceeds the MXD zone requirement for Open Space. Other than the disturbance to the stream valley buffers due to roadway and CCT improvements, the plan layout does not recommend any further disturbance to the SVB. The applicant is preserving the remaining stream valley buffer (SVB) areas as open space. These SVB areas will be placed into a conservation easement.

The plan is preserving approximately 12 acres of forested land (outside of the stream valley buffer or environmental controlled areas) as open space/park along the northwest portion of the Site. This area will be placed into a conservation easement. In addition, there are several community parks throughout the Site, including a recreational center (swimming pool, tennis court, basketball court, community center) and several tot lots. The final design of the recreation center and tot lots will be determined at the SDP and final site plan stages.

ARCHITECTURE/AIPP

The applicant should provide architectural design guidelines similar to that of Kentlands and Lakelands Design Codes. The architecture materials and features should be of higher standard and provided on all sides of structures due to the urban setting of the plan. The sides and rear of buildings must also meet a higher architectural standard.

The applicant should participate in and contribute to the Art for Public Places (AIPP) program. The applicant should provide an AIPP plan and commit funding to be approved by City staff and AIPP committee.

SCHOOLS

The schools that currently serve the proposed development are Brown Station Elementary School, Kingsview Middle School and Quince Orchard High School. Beginning in August 2005, the middle school assignment for the proposed development will change to Quince Orchard Middle School #2. Information obtained from Montgomery County Public Schools (MCPS) indicates that enrollment projections show space available at Brown Station Elementary School and Quince Orchard Middle School #2 throughout the six-year forecast period. At the high school level, enrollment projections show Quince Orchard High School over capacity throughout the forecast period. A new high school is needed and planned in the central portion of the County. However, at this time a high school location has not been determined and funding is not included in the six-year Capital Improvements Program (CIP). These conclusions are based on the development of 95 single-family detached, 216 single-family attached (townhomes), 134 two-over-two condominium, 37 apartment, and 252 high-rise condominium dwelling units.

Per MCPS, the estimated student generation numbers are:

<u>Casey West Units</u>	STUDENTS GENERATED		
		<u>Grades</u>	
	K-5	6-8	9-12
95 single-family detached	20 to 40	5 to 15	10 to 14
216 single-family attached	32 to 53	9 to 19	11 to 35
134 two-over-two condominium	6 to 21	2 to 10	5 to 9
37 apartment	3 to 6	1 to 3	1 to 3
252 high-rise condominium	6 to 20	2 to 10	2 to 11
TOTALS	67 to 140	19 to 57	29 to 72

The low end of each range represents the number of students generated following a traditional neighborhood development (TND) approach as proposed by the sketch plan. The high end of each range represents the application of student yield rates from the 2003 Census Update survey from the Montgomery County Department of Park and Planning for traditional suburban communities in the upcounty area.

According to the Montgomery County 2005-2010 CIP, the most pressing school matter is associated with anticipated capacity issues at Quince Orchard High school in that by the 6th year of the forecast period it will be over capacity by 205 students. Conversely, the 2005-2010 CIP shows that Quince Orchard Middle School #2 will be under capacity by 212 students and Brown Elementary School will be under capacity by 79 students by the 6th year of the forecast period. MCPS is currently working with the Maryland-National Capital Park and Planning Commission on possible locations for an additional high school site with the Shady Grove Sector Plan and the Gaithersburg Vicinity Master Plan. However, the current Annual Growth Policy schools test finds capacity adequate in the Quince Orchard cluster (where Casey West is located). This means that subdivision approvals in the county portion of this cluster area may go forward for the current fiscal year. [see Exhibit 25]

STAFF RECOMMENDATION:

The Planning Commission is providing a recommendation of one or more of the four proposed development options to the Mayor and Council for the Amendment to Sketch Plan Z-297 application tonight. Of the four development options presented, Staff believes that Option Four is more in keeping with the concept of a transit oriented development and meets the general intent of the 2003 Land Use Element of the Master Plan and Housing Policy.

Staff finds that this application is in conformance with the MXD, Mixed Use Development of the City's zoning regulations, and Staff further recommends that the Planning Commission give a favorable recommendation of the Option Four development proposal to the Mayor and Council for the Amendment to Sketch Plan Z-297 with the following conditions required of the applicant:

1. Applicant to provide sketch plan notes on the plan for zoning, intended uses (commercial, residential, etc.), housing types and number of units, area of site, area of green space, area of open space, area of dedication, public water and sewer requirements, floodplain/wetland/natural features, amenities, etc. prior to submission of Schematic Development Plan (SDP).
2. Applicant to depict and denote the area, boundaries, and floor area ratio (FAR) intended for commercial/ employment/industrial development on the sketch plan. The FAR is not to exceed 0.75, per Section 24-160D.4.
3. Applicant to provide a conceptual utility plan with submission of SDP. Utility locations shall be located to the rear of all lots. Do not provide visible front hook-ups.
4. Applicant to provide an Art in Public Places (AIPP) plan and commit funding to be approved by City staff and AIPP committee with submission of SDP.
5. Applicant to minimize the use of the several retaining walls proposed throughout the site during the SDP process.

Transportation

6. Applicant to submit a conceptual bus route plan with submission of SDP. Bus stop shelters must be identified and shall be standard City shelters during the SDP process. The applicant should research the possibility of providing a "central" regional bus terminal within the development. All bus shelter locations and routes must be reviewed and approved by Montgomery County Ride-On. The applicant should begin working with Montgomery County on these locations during the SDP process.
7. Applicant to provide road code applications and fees with a detailed report and plan regarding the many necessary road code waivers request throughout the development with submission of SDP. Applicant shall continue to work with staff to refine the roadway and alleyway designs.
8. Applicant to provide a conceptual plan for the CCT parking and station to be reviewed by MTA and City staff with submission of SDP. Obtain concept approval from MTA regarding the design of the development adjacent to the CCT right-of-way.

Vehicular/Pedestrian Circulation

9. Applicant to denote and depict which streets are considered private or public with submission of SDP. Lots that do not have frontage to a public street should promote the creation of affordable housing, or will be designed in such a way to foster the purposes and objectives of the MXD zone, provided that satisfactory access to a public street is provided and depicted over private rights-of-way on the SDP plan.
10. Applicant to provide and depict the necessary connections and easements to the McGown tract (to the west), to the Devlin tract (to the south) and to Metropolitan Grove Road on the sketch and SDP plan.
11. Applicant to work with staff on location of paths, sidewalks, nature trails, and other such recreational or pedestrian paths extending to and from the site and through the site during the SDP process. Depict and denote all pedestrian/recreational paths. Proposed internal trails should provide multi-use paths. The pathway should connect McGown Tract (westside of site) to Metropolitan Grove Road (eastside of site). Where possible, as part of the Watkins Mill roadway and CCT designs, grade separated pedestrian/bicycle connections/crossings should be provided. Provide pedestrian sidewalk and trail along Watkins Mill Road extended.
12. Applicant to depict and provide signs for path system similar to Lakelands on the SDP plan.
13. Applicant to continue to refine the roadway and alleyway designs to include appropriate traffic calming measures during the SDP process. Highlight traffic calming measures throughout the development. Highlight pedestrian crosswalks throughout the development. Special features and road surface materials should be provided for pedestrian crosswalks to be reviewed and approved by staff at SDP stage.
14. Applicant to demonstrate how garbage and recycling pick-up and emergency vehicle access is to occur for all residential and commercial lots during the SDP process. Particularly, residential lots with access only to an alley, demonstrate how these vehicles can adequately access, turn-around, and exit the alleys in a forward motion.

15. Applicant to submit to the City for review and approval an on-site directional/regulatory signage and lane striping plan including a truck circulation plan, proposed truck routing and truck signage prior to SDP approval. Emphasis shall be placed on minimizing truck impact on residential uses. Revisions to the submitted sketch plan may be required.
16. Applicant to demonstrate that the plan complies with all American with Disabilities Act (ADA) requirements.
17. Applicant to provide for all residential housing to front on a minimum 5' sidewalk that has access to a public street and pedestrian/recreational path system.
18. Applicant to provide specific types and details of safe pedestrian crossings to/from parking structure and CCT station during the SDP process. Staff is concerned with the ability for people (families/children) crossing four lanes of a highly used roadway. Staff recommends that the applicant provide pedestrian bridges and on-street pedestrian medians/island for refuge. All crossings must be handicap accessible.
19. Applicant to provide ample bike facilities (such as, but not limited to, racks, lockers, and rest areas) locations throughout the development during the SDP process.

Parking

20. Applicant to provide parking calculations and a parking distribution plan during the SDP process. The project must meet the standard off-street parking requirements as stipulated in the Zoning Ordinance. Many areas appear to be under parked. Staff has concerns with parking throughout the development. Particularly with over-flow/visitor parking for the many residential lots fronting along alleyways. Some on street parking may need to be eliminated - too close to intersections or crosswalks. The Council, at the time of SDP review, shall determine the appropriate number of spaces.
21. Applicant to develop an employee parking program which shall include areas to be designated for employee parking, signage thereof, and lease requirements therefore and enforcement mechanisms to be approved during the SDP process.
22. Applicant to provide a shared parking agreement that meets the requirements of the Zoning Ordinance to be reviewed and approved during the SDP process. Parking lots/ structures associated with the subject site should be managed in such a way which precludes towing on licensed vehicles without proper notice. All parking associated to a mix of uses or used to meet shared parking requirements should be available without cost associated to their use. The parking should be made available and accessible to the public at no cost for the mix of uses proposed by this development. If a fee-based system is to be implemented in the future, the Planning Commission and staff should review and approve such a fee-based system so as to allow the proposed shared parking concept to meet the Zoning Ordinance requirements and work efficiently and fairly to all uses.
23. Applicant to provide parking area that is available for the proposed CCT as stipulated by MTA.

Staging

24. The Development Staging and Phasing, Transportation Improvements, Staging Objectives and Project Goals, and Development Assumptions sections as stipulated above on pages 122-126 of the Casey-Metropolitan Grove Road Special Study Area shall be part of the staging and phasing of any development proposed for this sketch plan (Z-297), regardless of the land use option chosen. The staging, phasing and density of development are to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the nine adopted Master Plan Themes. The implementation of staging elements for this study area will be controlled by the approval process for the Mixed Use Development (MXD) Zone through the schematic development plan (SDP) approval process.
25. Phasing of development and the total square footage and number of housing units for each phase will be determined in accordance with the adopted Master Plan Themes during the SDP process and will not be approved until a traffic impact study is submitted and its conclusions acceptable to the City and its traffic engineer .
26. An appropriate range of potential housing units to be provided at this time is 465-485 single-family detached, single family attached, and two-over-two dwelling units and 550-590 high-rise condominium units. The final unit count and density will be determined during the SDP approval process.

Stormwater Management

27. Applicant to submit a concept stormwater management plan to be reviewed and approved by DPWPM&E prior to submission of a SDP. Staff strongly recommends the use of a wet pond for this development.
28. Applicant to submit a preliminary stormwater management plan to DPWPM&E with SDP submittal.

Environmental

29. Applicant to provide green building techniques for all office/commercial structures, including parking structures. All structures should be compared to LEED certified standards during the SDP process and Final Site Plan (FSP) process.
30. Applicant to obtain approval of the preliminary Forest Conservation Plan (FCP) during the SDP process.
31. Applicant to address all outstanding NRI/FSD conditions of approval during the SDP process. The natural resources/wildlife management plan shall be implemented prior to grading or clearing of site. Staff recommends landscape berms as opposed to structures as part of noise abatement plan.
32. Applicant to provide stream stabilization plan to be reviewed and approved by staff during the SDP process.

Architectural Design

33. Applicant to provide design guidelines similar in scope to that of Kentlands and Lakelands Design Codes during the SDP process, per Sections 24-160D.12 and 24-160D.13, of the Zoning Ordinance. These design guidelines shall include, but not limited to, the appearance of buildings and structures, configuration of building elements and type of building materials, lot layout, building/structure setbacks and lot coverage, location and type of accessory buildings/structures, and type and nature of accessory uses. The design should provide a unique style and sense of place for this development. Architectural materials and features should be of higher standard and provided on all sides of structures due to the urban setting of the plan. The sides and rear of buildings must also meet a higher architectural standard and must be reviewed and approved. Staff may require corner lots to provide enhanced architectural conditions.
34. Applicant to demonstrate that roadway views terminate at a structure and/or public amenity at the time of SDP.

Signage

35. Applicant to provide a signage package, per Section 24-160.D.2.(e) of the Zoning Ordinance, that follows a thematic approach during the SDP process. Staff shall review and approve all signage, in accordance with approved sign package, contemplated for the development. Community or development signage must be approved at SDP stage. All building signage must be approved at final site plan stage.

Amenities/Landscaping

36. Applicant to provide a proposed covenant, per Section 24-160.9(c)(5) of the Zoning Ordinance indicating how the development area will be included in any homeowner's association or other organization, and how any open space, community space or amenities located within the area, subject to review by the City Attorney and staff, will be perpetually maintained during the SDP process.
37. Applicant to depict and denote all landscaped areas, proposed conceptual screen planting, open space plazas, malls, courts, recreation and amenity areas.
38. Applicant to provide a landscaped berm, where possible, along Watkins Mill extended to buffer and screen all residential uses from Watkins Mill Road extended during the SDP process.
39. Applicant to provide a swimming pool that is sized in accordance to Montgomery County Health Department, IBC and BOCA standards at SDP stage. Staff has concerns with available and accessible parking spaces for the pool. Revisions to the submitted sketch plan may be required.

March 25, 2005



Mr. Peter J. Henry
BP Realty Investments, LLC
10000 Falls Road, Suite 100
Potomac, Maryland 20854

Re: CASEY WEST
Gaithersburg, Maryland
Utility Location Information
RCI Job No. 776-A1

Dear Mr. Henry:

As per the MXD zoning requirements under *Section 24-160D.7 – Public Facilities and Utilities*, the “development should...assure the ability of the area to accommodate the uses proposed by the applicant.” Regarding this requirement, Rodgers Consulting, Inc. (RCI) has contacted the local agencies active in the area. In contacting them, RCI has requested that they provide RCI with information as to their ability to provide adequate service to the above referenced project. RCI has summarized the information below and has enclosed all correspondence and maps, as provided to RCI.

In overview of the information RCI has gathered, this site is either “presently adequate to service the development requested for approval” or “will be provided or in place by the completion of the construction of the development reflected in the schematic development plan.” Furthermore, all major utilities are either located within the roadways surrounding the proposed site or in the CSX right-of-way (R.O.W.) to the south of the property. Any supplemental utilities required for this site will be provided on-site and “in place by the completion of construction.”

ELECTRIC:

- Pepco – Per a letter received by RCI on January 22, 2001: services are located adjacent to the subject site, within the CSX R.O.W. along the southwest property line on the west side of I-270. See the enclosed response letter and plats.
- Allegheny Power System – Per a letter received by RCI on January 27, 2005: Allegheny Power Systems stated that this is “Pepco area.” No further information was provided. See enclosed response letter.

TELEPHONE:

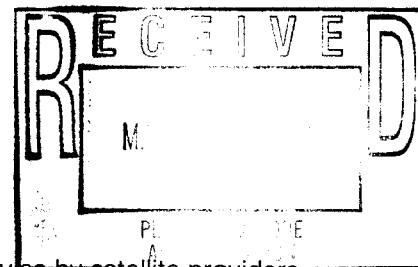
- AT&T – Per a letter received by RCI on January 25, 2005: AT&T stated that “AT&T has a cable in the CSX Transportation Property.” See enclosed response letter for further information.
- MCIWorldcom – Per a letter received by RCI on December 28, 2004: MCI local underground service is located adjacent to the subject site within the CSX R.O.W. along the southwest property line. Additionally, MCI local conduit service is located northeast of the subject site along the west side of I-270. See the enclosed response letter and MCI in-house as-built plan.
- Bell Atlantic – RCI sent out a request for utility location information to Bell Atlantic on December 15, 2004. As of the date of this letter, RCI has not received a response.
- Verizon – Per a letter received by RCI on March 7, 2005: Verizon stated that there are aerial and underground facilities in the area and that there are “no conduit records for this area.” A map delineating the Verizon facilities was enclosed showing that the underground services are located adjacent to the subject site. The aerial facilities are located within Game Preserve Road along the west property line. The underground facilities are located along Longdraft Road and apparently within the CSX R.O.W. See the enclosed response letter and service location map.

GAS:

- Washington Gas – Per a letter received by RCI on December 29, 2004: Washington Gas (Ref # 04-0944) has buried underground facilities in the area located adjacent to the subject site within the PEPCO R.O.W. to the northeast of the site. Also, a facility extends along Watkins Mill Rd and ends approximately 700’ from the CSX R.O.W. southwest of the southwest property line. Washington Gas provided a utility location map (WGL: AF-040-NW/MD) showing locations of the facilities. See the enclosed response letter and utility location map.



Enhancing the value of land assets
(Con't)



SATELLITE/CABLE:

- Satellite – This site is accessible for satellite television and internet service by satellite providers.
- Comcast – RCI sent out a request for utility location information to Comcast Cable on December 15, 2004. As of the date of this letter, RCI has not received a response. However, this site is within Comcast's service area.

WASHINGTON SUBURBAN SANITARY COMMISSION (WSSC):

SEWER

- Based on WSSC Sewer Map 225NW11-S, revised November 17, 1997 and Sewer Map 224NW11-S, revised October 4, 1999, 10" and 12" sewer lines are located along the southwest side of the property line of the subject site, near Game Preserve Road. Additionally, 12" and 15" sewer lines are located along the northeast side of the property line of the subject site, on the west side of I-270.

WATER

- Based on WSSC Water Map 225NW11-W, revised July 21, 1999, a 48" water line is located along the northeast side of the property line of the subject site, on the west side of I-270.

CLASS OF SERVICE

- A WSSC Phase I Letter of Findings, reference number DA3542Z03, dated December 12, 2002, has granted Casey West, previously referred to as The Parklands, conceptual approval. See the enclosed Phase I Letter of Findings.

AVAILABILITY OF PUBLIC FACILITIES:

POLICE

- The Gaithersburg District Station (6th District) is located at 18749F N. Frederick Ave., Gaithersburg, MD 20879. This location is approximately 2.6 from the entrance to the subject site off Clopper Road.
- The Municipal Gaithersburg City Police is located at 14 Fulks Corner Ave., Gaithersburg, MD 20877. This location is approximately 2.2 miles from the entrance to the subject site off Clopper Road.

FIRE

- The Gaithersburg-Washington Grove Fire Department, Station #8, is located at 801 Russel Avenue, Gaithersburg, MD 20879. This location is approximately 2.3 miles from the entrance to the subject site off Clopper Road.

PUBLIC SCHOOLS

- Based upon the Montgomery County Annual Growth Policy (AGP) Test, which compared projected enrollment to total capacity, "including programmed additional available capacity available by the year" for elementary, middle and high schools, through the school year 2009-10, all schools are adequate. See enclosed AGP report.

CSX ACCESS EASEMENT

- A permanent access easement over the CSX Rails at Watkins Mill Road has been secured.

If you have any questions, please contact RCI at 301.948.4700.

Sincerely,
Rodgers Consulting, Inc.

Frank G. Bossong, IV, P.E.
Senior Vice President

Cc: Mark DePoe, City of Gaithersburg
Gary Unterberg, Rodgers Consulting, Inc.
Paul E. Tschiderer, PE, RCI
File

From: "Crispell, Bruce" <Bruce_Crispell@mcpsmd.org>
To: "Fred Felton" <FFelton@gaithersburgmd.gov>
Date: 03/31/2005 11:28:10 AM
Subject: RE: BP Plan

Fred,

I was not factoring in the BP plan in my comments. If the plan is approved it is likely that at the low end of the estimated yield (see letter to Greg Ossont) space would be adequate at Brown Station ES without portables (as they have about 100 seats projected to be available.) If the higher end of the yield were realized then I would estimate two to four portables would be needed at Brown Station ES.

At the middle school level, with the new QO MS#2 opening next fall, we will be okay with the BP development - both at the low end of estimated yield and the high end.

At the high school level we already have 4 portables at QO HS. So any additional development will increase the need. At the low end of yield I would say 1 or 2 more portables. At the high end of yield I would say 3 to 4 more portables. Long-range we hope to get another high school open in the next 6 to 10 years to address overutilization at QO HS.

Bruce

-----Original Message-----

From: Fred Felton [mailto:FFelton@gaithersburgmd.gov]
Sent: Thursday, March 31, 2005 10:46 AM
To: Crispell, Bruce
Subject: RE: BP Plan

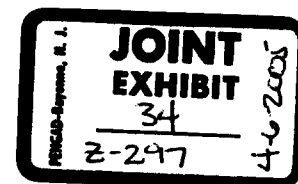
Bruce,

Thanks for your email. Just to clarify, are you saying that portables are not anticipated to be needed at Brown Station and QO Middle School #2 even if the BP project is approved and the new students are added?

Thanks,
Fred

>>> "Crispell, Bruce" <Bruce_Crispell@mcpsmd.org> 03/31/05 9:02 AM >>>
Fred,

Brown Station ES has a capacity of 485 - with no change scheduled in the next six years. QO Middle School #2 will have a capacity of 1,106 - again with no change scheduled in the next six years. QO High School has a capacity of 1,765 - no change scheduled in the next six years. There are no portables at Brown Station ES (none expected in the future, either.) QO MS #2 will not require portables when it opens, and QO High School has 4 portables this year and may require 2 to 4 more by the end of the six year forecast period. (Portable needs are reassessed each year based on the latest enrollment forecast.)



Bruce

If you go to our web site you can print off a copy of the QO cluster projections and portable information. Go to

www.mcps.k12.md.us/departments/planning

-----Original Message-----

From: Fred Felton [mailto:FFelton@gaithersburgmd.gov]

Sent: Monday, March 28, 2005 10:34 AM

To: Crispell, Bruce

Subject: BP Plan

Hi Bruce,


The Mayor and Council asked me to get a little more information from you for the record on the BP project. Can you give us the actual capacity enrollment projections for Brown Station, QO Middle School #2, and Quince Orchard High?

Additionally, can you let us know how many portables are in use at these schools and are projected over the next five years? This should be the last informational request we have on the project and we do not anticipate any additional meetings.

Please give me a call at 301-258-6310 if you have any questions.

Thanks,
Fred

MEMORANDUM TO: Planning Commission

FROM: Greg Ossont, Director
Planning and Code Administration 

DATE: March 30, 2005

SUBJECT: Z-297

During the March 14, 2005 joint work session on Z-297, the Planning Commission requested an analysis of whether the amended sketch plan application complied with the adopted Master Plan for the Casey Metropolitan Grove Road Special Study Area.

For your review, I have attached a copy of the Casey Metropolitan Grove Special Study Area report. As you will recall, the Master Plan had three alternative development scenarios for the Casey-West tract: Office with a Commercial Component, Private Arts, Entertainment and Education Center, and Mixed Use Office-Residential with a Commercial Component.

The amended proposed sketch plan is in compliance with the Master Plan requirements for Mixed Use Office-Residential with a Commercial Component; however, there are two deviations.

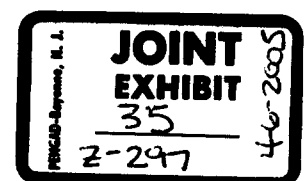
The first deviation is the hotel proposed to be located west of Watkins Mill Road on an area that is designated for medium/high density residential. The second deviation is that there are 23 large lot single family homes proposed for an area designated as park.

The developer is proposing to dedicate approximately 14 acres of land north of Bennington that will be designated as passive open space. Staff spent considerable time in negotiations to obtain that amount of open space. The developer would not agree to increase the size of this area unless the City is willing to purchase the land.

While the Master Plan did suggest that this area should be designated as a park, it did not address how the City would obtain ownership.

I hope this information is helpful. If you have any questions or wish to discuss this matter, please contact me.

go/sp
Attachment



MEMO TO: Planning Commission

FROM: Greg Ossont, Director
Planning and Code Administration *GP*

DATE: March 30, 2005

SUBJECT: Z-297 - MARC Usage

During the joint work session for the amended Z-297 application, additional information was requested on commuter ridership numbers for the adjacent MARC rail station and the potential impacts of the proposed development on ridership numbers.

Obviously, the proposed development focuses on the existing rail system as a means to transport commuters into and from the Metropolitan Grove station and proposed town center. Currently, the entire Brunswick line generates approximately 3100 AM boardings. There are nine AM stops at the Metropolitan Grove station which generates 170 boardings, for points south. Approximately 25 riders disembark from points north during the same hours. These numbers would be expected to increase dramatically.

While MARC has not formulated a model for potential ridership for specific stations based on potential development in the area, it is staff's opinion that the 170 boardings at this location would likely increase significantly with an additional housing opportunities within walking distance of the station. In the long term, the number of disembarks at the Metropolitan Grove station would likely increase as well with increased employment opportunities. Staff believes that the addition of nearly 1.2 million square feet of office/commercial use would not only increase the number of disembarks from points north, but may likely precipitate a need for AM northbound MARC service.

I hope this information is helpful. If you have any questions, please contact me directly at 301-258-6330 or gossont@gaitthersburgmd.gov



	YEAR 2004 EXISTING	YEAR 2010, INITIAL PHASE		YEAR 2011, FINAL PHASE		
		BACKG'D	TOTAL	BACKG'D	TOTAL	
MORNING PEAK HOUR TRAFFIC						
1. MD 117 & Longdraft Rd	A/950	B/1047	C/1213	A/896	B/1064	
<i>with SHA improvement</i>	<i>n/a</i>	<i>B/1047</i>	<i>C/1213</i>	<i>A/896</i>	<i>B/1064</i>	
2. MD 117 & Watkins Mill Rd	A/779	A/872	C/1214	B/1003	F/1617	
<i>with SHA improvement</i>	<i>n/a</i>	<i>A/876</i>	<i>C/1218</i>	<i>B/1098</i>	<i>D/1355</i>	
<i>with additional improvement</i>	<i>n/a</i>	<i>A/865</i>	<i>B/1037</i>	<i>A/941</i>	<i>D/1355</i>	
3. MD 117 & Bowl America	A/757	A/847	B/1022	A/673	A/797	
<i>with SHA improvement</i>	<i>n/a</i>	<i>A/616</i>	<i>A/738</i>	<i>A/494</i>	<i>A/580</i>	
4. MD 117 & Metro Grove Rd	A/758	A/823	B/1063	A/657	A/914	
<i>with SHA improvement</i>	<i>n/a</i>	<i>A/652</i>	<i>A/924</i>	<i>A/518</i>	<i>A/775</i>	
5. MD 117 & Firstfield Rd	B/1034	B/1125	C/1299	A/987	B/1111	
<i>with SHA improvement</i>	<i>n/a</i>	<i>A/893</i>	<i>B/1015</i>	<i>A/796</i>	<i>A/883</i>	
6. MD 124 & MD 117	D/1302	E/1470	F/1859	C/1299	F/1618	
<i>with SHA improvement</i>	<i>n/a</i>	<i>C/1197</i>	<i>D/1373</i>	<i>B/1126</i>	<i>C/1270</i>	
7. Watkins Mill Rd & South Access	n/a	n/a	A/892	n/a	C/1239	
8. Watkins Mill Rd & North Access	n/a	n/a	n/a	n/a	B/1148	
9. north access road & First NS Rd	n/a	n/a	A/126	n/a	A/380	
10. Roundabout at focal point	n/a	n/a	A/9.7	n/a	A/8.5	
11. Northern Roundabout	n/a	n/a	A/2.4	n/a	A/3.3	

NOTE:

1. Roundabout results are LOS/delay, intersections are LOS/CLV.
2. Background Traffic is derived from combining Existing Traffic, growth and traffic to be generated by approved developments.
3. Total Traffic is derived from combining Background Traffic and traffic to be generated by site.



**EXHIBIT 16A
RESULTS OF INTERSECTION
CAPACITY ANALYSIS**

	YEAR 2004 EXISTING	YEAR 2010, INITIAL PHASE		YEAR 2011, FINAL PHASE	
		BACKG'D	TOTAL	BACKG'D	TOTAL
EVENING PEAK HOUR TRAFFIC					
1. MD 117 & Longdraft Rd	A/957	B/1067	C/1231	A/826	A/992
with SHA improvement	n/a	B/1067	C/1231	A/826	A/992
2. MD 117 & Watkins Mill Rd	A/852	A/978	F/1798	B/1081	F/1758
with SHA improvement	n/a	A/970	F/1655	A/992	E/1579
with additional improvement	n/a	A/970	D/1314	A/893	C/1252
3. MD 117 & Bowl America	A/835	A/937	C/1153	A/734	A/898
with SHA improvement	n/a	A/937	C/1153	A/734	A/898
4. MD 117 & Metro Grove Rd	B/1017	B/1120	D/1335	A/916	B/1080
with SHA improvement	n/a	B/1085	D/1301	A/882	B/1046
5. MD 117 & Firstfield Rd	C/1243	D/1345	E/1561	B/1099	C/1262
with SHA improvement	n/a	B/1123	C/1273	A/920	B/1035
6. MD 124 & MD 117	D/1342	E/1528	F/1937	D/1330	F/1659
with SHA improvement	n/a	C/1183	D/1427	B/1045	C/1238
7. Watkins Mill Rd & South Access	n/a	n/a	A/608	n/a	B/1072
8. Watkins Mill Rd & North Access	n/a	n/a	n/a	n/a	C/1251
9. north access road & First NS Rd	n/a	n/a	A/87	n/a	A/398
10. Roundabout at focal point	n/a	n/a	A/9.3	n/a	A/8.9
11. Northern Roundabout	n/a	n/a	A/4.4	n/a	B/10.2

NOTE:

1. Roundabout results are LOS/delay, intersections are LOS/CLV.
2. Background Traffic is derived from combining Existing Traffic, growth and traffic to be generated by approved developments.
3. Total Traffic is derived from combining Background Traffic and traffic to be generated by site.



**EXHIBIT 16B
RESULTS OF INTERSECTION
CAPACITY ANALYSIS**

RESULTS, RECOMMENDATIONS and CONCLUSIONS

STUDY PURPOSE

This Traffic Impact Analysis was conducted to determine what impact the proposed development of the Casey West project would have on the adjacent road system in Gaithersburg, Maryland. This property is located to the north of MD 117 in the vicinity of Watkins Mill Road.

STUDY CRITERIA/METHODOLOGY

This analysis takes into consideration existing traffic, regional traffic growth, traffic to be generated by other nearby developments, and roadway improvements and changes proposed to the nearby road system. This Traffic Study was prepared in accordance with the procedures normally required by the City of Gaithersburg for the conduct of a Traffic Impact Analysis. Intersection Capacity Analyses were conducted using the Critical Lane Volume methodology.

SUMMARY OF FINDINGS and RECOMMENDATIONS

With the land uses proposed for Initial Phase (buildout year 2010) and the SHA planned improvements, one of the study intersections requires improvement to achieve acceptable Levels of Service. A second left turn lane will be required southbound along Watkins Mill Road at the intersection of MD 117 and Watkins Mill Road/Pheasant Run Drive.

The results of the analysis of the study intersections assuming the complete development of the subject site (Final Phase) indicate that with the extension of Watkins Mill Road to I-270 and construction of a new Watkins Mill Road interchange on I-270, all of the study area intersections along MD 117 are projected to operate at satisfactory Levels of Service.

On-site traffic circulation and site frontal intersections are analyzed and the analysis results indicate that site circulation and intersection/roundabout capacities are acceptable.

In summary, based on the data contained in this report, it is our opinion that the phased development of the Casey West project would not have an adverse impact on the nearby road system with the implementation of the improvements discussed in this report.

60 Oak Shade Rd.
Gaithersburg, MD 20878
April 7, 2005

APR - 8 2005

Dear Mayor, City Council, and Planning Commission:

Yesterday evening, the Planning Commission approved the new BP Realty plan for the Casey Tract/Metropolitan Grove based on school figures with a significant error.

Planning staff has carried forward school capacity figures based on Joseph Lavorgna's March 10, 2005, letter; these capacity calculations were based on BP's earlier options for the property. Option Four, which was approved yesterday evening, contains 32% MORE residential units than the plan MCPS was discussing in March.

Extrapolated to include the greater number of dwelling unit approved yesterday evening, capacity figures are:

Brown Station's increase—185 students (7 to 9 portables)

Quince Orchard Middle's increase—75 (3 portables)

Quince Orchard High's increase—95 (3 additional=7 total)

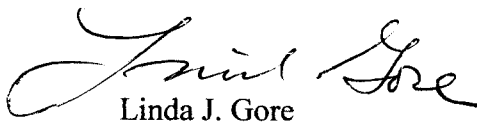
These figures were pointed out to you in the Bennington Community Association letter of March 23, 2005.

I am deeply concerned that this project is being rammed through in haste without due consideration to the negative impact on the surrounding community. After all the hard and judicious work put in by the City and the neighbors so far, I am left to wonder why this is the case.

The Bennington Community is aware that the Casey Tract will be developed. I am convinced that Bennington and neighbors from surrounding communities are willing to collaborate with the City and BP in an open and honest process.

An honest process MUST include accurate school figures (that take into account other developments that will add students to the effected schools) and a traffic study by a research group that is independent of BP Realty.

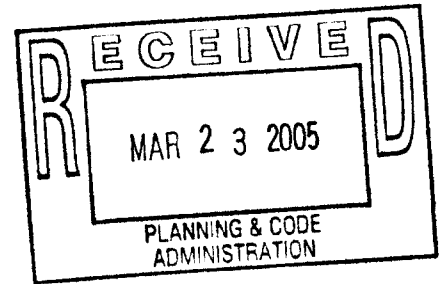
Sincerely,


Linda J. Gore



801 Pointer Ridge Drive
Gaithersburg, MD 20878

March 21, 2005



Mr. Greg Ossont
Director, Planning & Code
City of Gaithersburg
31 S. Summit
Gaithersburg, MD 20877

Dear Mr. Ossont:

As a resident of Pheasant Run subdivision, I would like to share with you my concerns about the proposed construction of the Casey West plan. My most recent reading on this matter was a *Gaithersburg Gazette* article dated March 16, 2005. Gaithersburg has been saturated with construction – both commercial and residential. The high-density condominiums are not only an eyesore but are abundant in all areas of the city, i.e. the old Upton area in the Kentlands. There are many vacancies in office buildings – case in point, the three-story building behind Digene on Clopper Road.

One of the most critical improvements the city could make would be to connect West Watkins Mill Road between Route 355 and Route 117 (Clopper Road). This would alleviate some of the congestion on Route 124. The article I read states that if there is construction in the Casey West area, Watkins Mill would be a part of Phase 2. Since there are no thoroughfares connecting that land, why would construction of Watkins Mill not come first?

Surely the city can listen better to its citizens and not proceed with this project as planned. Please rethink your plans and scale back any project on that parcel.

Sincerely,

Emily S. Barnes



COMMUNICATION: PLANNING COMMISSION

MEMORANDUM TO: Mayor and City Council

VIA: David Humpton, City Manager

FROM: Mark DePoe, Long-Range Planning Director *MD*

DATE: April 7, 2005

SUBJECT: Z-297 - Application to amend Sketch Plan Application Z-278, for approximately 125.5 acres of property of Betty B. Casey. The site is located between the CSX Railroad tracks and I-270, north of Metropolitan Grove Road. The amended application proposes a mixed-use development that includes single-family attached and detached residential units, 3-over-2 residential condominium units, multi-family residential units, office buildings with first floor retail, and a hotel/cinema complex.

At its regular meeting on April 6, 2005, the Planning Commission made their recommendation to the Mayor and City Council for the Amendment to Sketch Plan application Z-297. Based on their review of the evidence, the Planning Commission found that the Z-297 application is in conformance with the Mixed Use Development (MXD) zone of the City's zoning regulations. The Planning Commission further recommended the Option Four development as the Amendment to Sketch Plan Z-297 application, in that it is more in keeping with the concept of a transit oriented development and meets the general intent of the 2003 Land Use Element of the Master Plan and Housing Policy.

Commissioner Levy moved, seconded by Commissioner Winborne, to recommend Z-297, Option 4, for APPROVAL to the Mayor and City Council, with the following conditions required of the applicant:

1. Applicant is to provide sketch plan notes on the plan, including but not limited to zoning, intended uses, housing types and number of units, area of site, area of green space, area of open space, area of dedication, public water and sewer requirements, floodplain/wetland/natural features, and amenities, prior to submission of Schematic Development Plan (SDP);



2. Applicant is to depict and denote the area, boundaries, and floor area ratio (FAR) intended for commercial/ employment/industrial development on the sketch plan. The FAR is not to exceed 0.75, per §24-160D.4;
3. Applicant is to provide and depict the necessary connections and easements to the McGown tract (to the west), to the Devlin tract (to the south) and to Metropolitan Grove Road on the sketch and SDP plan;
4. The Development Staging and Phasing, Transportation Improvements, Staging Objectives and Project Goals, and Development Assumptions sections as stipulated above on pages 122-126 of the Casey-Metropolitan Grove Road Special Study Area shall be part of the staging and phasing of any development proposed for this sketch plan (Z-297), regardless of the land use option chosen. The staging, phasing and density of development are to be determined by the Mayor and City Council during the Schematic Development Plan process in accordance with the nine adopted Master Plan Themes. The implementation of staging elements for this study area will be controlled by the approval process for the Mixed Use Development (MXD) Zone through the schematic development plan (SDP) approval process;
5. Phasing of development and the total square footage and number of housing units for each phase will be determined in accordance with the adopted Master Plan Themes during the SDP process and will not be approved until a traffic impact study is submitted and its conclusions acceptable to the City and its traffic engineer;
6. An appropriate range of potential housing units is to be provided at this time is 465-485 single-family detached, single family attached, and two-over-two dwelling units and 550-590 high-rise condominium units. The final unit count and density will be determined during the SDP approval process;
7. Applicant is to submit a concept stormwater management plan to the DPWPM&E with the submission of an SDP. Staff strongly recommends the use of a wet pond for this development; and

8. Applicant is to depict and denote all landscaped areas, proposed conceptual screen planting, open space plazas, malls, courts, recreation and amenity areas.

Vote: 4-0 (Absent: Victor Hicks)

The Planning Commission further discussed the remaining thirty (30) conditions recommended by City staff as part of the Staff Analysis Z-297: Amendment to Sketch Plan, dated March 31, 2005. The Planning Commission concluded that these remaining conditions, although important, are primarily Schematic Development Plan (SDP) conditions and should be required as part of the SDP submission and process.

APR 14 2005

April 13, 2005

Mayor Sidney Katz
Gaithersburg City Council
31 South Summit Ave.
Gaithersburg, MD 20877

Dear Mayor Katz and City Council:

The Board of the Bennington Community Association is deeply concerned that the Planning Commission has approved the sketch plan for BP Realty's Option #4 plan for the Casey Tract/Metropolitan Grove (CT/MG), recommending to you that Option #4 be the basis of a schematic development proposal.

Given the concerns consistently expressed by citizens over the four years that BP's proposals for the CT/MG have been under consideration, it is incomprehensible to us that the Planning Commission has moved forward an option that is little different than the original plan submitted by BP Realty in 2001. In spite of concerns over traffic congestion and school crowding, the number of residential units and the amount of commercial space in Option #4 is almost identical with the original plan. In spite of hours of testimony about the surrounding community's concern over environmental issues, a large portion of land designated to be kept woodland by the Master Plan would be covered with construction, and connections would be sited so that expansion into the woodland on the McGown and Devlin properties could be easily established in the future.

The Planning Commission approved this option, even though they had two other options before them that included drastically (63%) lower numbers of residential units and no construction in the wooded area protected by the Master Plan.

In addition to this glaring disrespect of the community's concerns, the Planning Staff's document was apparently rushed forward without proper concern for accuracy: the section of the Staff's document on school capacity issues bases its projections for school overcrowding on a residential unit count 32% lower than that actually proposed by Option #4.

We have attached to this letter a copy of our letter of March 23, 2005, to reiterate our point-by-point listing of specific concerns that must be addressed to make the planning process for the tract a rational and fair one. (Please note: The fifth sentence in the section on traffic and infrastructure on page two should read, "It is impossible that the addition of



1,075 units of housing, 1,196,589 square feet of commercial space, and two hotels totaling 394 rooms would not grossly overcrowd the roads of our area.”)

Over more than four years, many citizens from our area of Gaithersburg have invested countless hours in the process of assisting the City in crafting a development plan for the CT/MG that would meet the fundamental criterion of city planning: Plan for the common good. We stand by our good work, and we encourage you to stand by a fair, open, and honest process for this tract.

Sincerely,

Wanda Harich, President
Bennington Community Association

Attachment



Multi-Modal Corridor Study

Casey West_Metropolitan Grove CCT Project Area Coordination
RE: CSX Track and Alignment

Date: April 14, 2005

To: Mark Depoe, Long Range Planning Director
City of Gaithersburg

From: Mike Perrotta, PB
State Highway Administration Project Manager

Brian Horn, RK&K
Consultant Project Manager

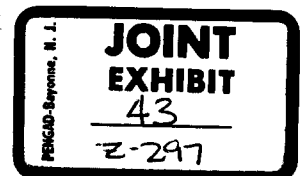
Subject: Casey West Development and Metropolitan Grove CCT & CSX Track/Alignment

The I-270/US 15 Multi-Modal Corridor Study held its monthly team meeting on April 12, 2005, and several ongoing project activities within the vicinity of the proposed Metropolitan Grove CCT Transit Station were discussed. These activities included the proposed Watkins Mill Road Extended Interchange project (currently in the Preliminary Investigation stage of Final Design), the potential Metropolitan Grove direct access ramps from I-270 Express Toll Lanes (located between the proposed Watkins Mill Road and MD 124 interchanges), a candidate site for CCT rail yard/storage/maintenance facility, the CCT Metropolitan Grove Station, the CCT transit alignment (either LRT or BRT), the MARC Metropolitan Grove Station, the I-270 highway improvements and the CSX railroad bridge over I-270.

The City of Gaithersburg described the Casey West site plan to be presented to the City Planning Board on April 18th for approval. The City had also requested input from the Maryland Transit Administration (MTA) for the amount of right of way reservation needed for the CCT alignment and station in Metropolitan Grove, which is being provided in a separate letter.

The following bullets provide information about the interrelationship of the CSX Bridge over I-270 to some of these facilities regarding right of way and construction conflicts. The bullets also reflect the State Highway Administration's concerns and recommendations regarding those conflicts.

- I-270 highway widening will require the reconstruction of the CSX Bridge over I-270. Three 'highway' typical sections are possible under the CSX Bridge. Each requires the lengthening of the structure on the west end to accommodate the lane configurations. Preliminary reconstruction scenarios identified three methods for bridge replacement: 1) In-place while maintaining rail traffic; 2) Temporary structure to maintain rail traffic and rebuild in-place with temporary track relocation; or 3) New structure with track realignment.

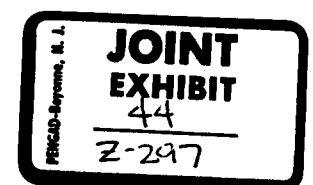


- Method 2 (temporary structure with temporary track relocation) and Method 3 (New CSX structure with track realignment) may affect CSX tracks for up to 2,500 feet \pm west (north) of the MD 124 bridge overpass.
- Realigning the CSX tracks west (north) of MD 124 will cause the CCT transit alignment to shift eastward from its current DEIS location.
- Shifting the CCT transit alignment eastward affects the location of the CCT Metropolitan Grove Station and the reservation for the CCT transit alignment along the edge of the Casey West site.
- If the CSX track relocation is permanent, the CCT and Casey West projects will be affected by having less land to implement transportation and site improvements. Early indications show the impact to the southeast corner (adjacent to the existing MARC Station) may be approximately 20 feet (+ or -) and decreasing as the CSX/CCT alignment continues westward towards the Watkins Mill Road overpass. The right of way impact would end south of Watkins Mill Road.
- The Watkins Mill Road Bridge over CSX does not appear to be affected by the temporary or permanent track relocations based on very preliminary reviews.
- The I-270/US 15 Multi-Modal Corridor Study Team is preparing detailed studies to determine the CSX Bridge over I-270 reconstruction scenarios and preparing initial concepts for the CCT rail yard/storage/maintenance facility and the CCT Metropolitan Grove Station facility.

If you have any questions or need clarification regarding the issues raised in this memorandum, please feel free to contact us.

Notes Option 4:

1. The Sketch Plan application is for the approximate 125 acre properties owned by the Casey Foundation and under contract to purchase to BP Realty Investments, LLC (the "Site"). The remaining properties shown on this Sketch Plan are shown in accordance with the requirements of the Master Plan.
2. The boundary survey for the Site was prepared by Rodgers Consulting, Inc. Topography for the Site and surrounding areas shown was prepared aerially by Photographic Data Services.
3. The Site is zoned MXD. The Site area is approximately 125.2 acres.
4. The plan meets or exceeds the MXD zone requirement for Open Space. The maximum building heights are as permitted under the restrictions of the Gaithersburg City Code.
5. Initial Phase - The Initial Phase of development shall include the concurrent construction of Watkins Mill Road Extended from and modifying as necessary the existing bridge approach adjacent to the west existing CSX track approximately to the sensitive area west of I-270 where the SHA plan commences. The Initial Phase shall permit the following residential development, all of a maximum of four stories of height: 95 single family detached units; 216 single family attached town homes units including the loft townhome units with ground level retail; 134 units of 2 over 2's dwelling units, and 37 townhomes units which adjoin the Urban Core. Developer shall be further limited in the construction of these residential units as follows: (a) the following units are permitted to be constructed from the issuance of Schematic Development Plan ("SDP") approval, measured cumulatively (referred to as "Year 1"): Year 1, 97 units; Year 2, 97 units, Year 3, 97 units, Year 4, 97 Units, Year 5, 94 units, except as to the 23 single family detached units north of the CCT line and the 37 loft units adjoining the Urban Core shall not be constructed until the first building within the Urban Core is commenced. The following development shall also be permitted in the Initial Phase as part of the Urban Core: (a) 10,000 square feet of first level commercial space (ground level to the loft town homes in Midtown); (b) office buildings C-2 and C-3 which are eight stories including related ground level retail/restaurant uses, phased for occupancy in not earlier than Year 3; office building A-1 which is seven stories including related ground level retail/restaurant uses and one sub-level of retail, phased for occupancy in not earlier than Year 5; cinema/retail anchor with restaurants in the Urban Core is one to one and one-half levels, phased for occupancy in Year 3; a 210 room Urban Core hotel, including up to 38,000 square feet associated restaurant/meeting space and 65 penthouse residential condominiums in 12 stories; a 252 unit residential condominium building A-3 in 12 stories phased for occupancy in Year 2, including related ground level restaurants/retail. Parking may be initially constructed as surface parking and later replaced with buildings and structured decks.
6. Second Phase - The Second Phase of development shall be staged to commence upon the commencement of construction of the Watkins Mill Interchange. The Second Phase shall include the following development: three freestanding pads each of approximately 4,800 square feet located along Watkins Mill Road of up to a maximum of two stories, a 184 room hotel and related hotel and meeting facilities of up to a maximum of 11 stories, located along Watkins Mill Road; Office buildings B-3, C-1 and C-4 are six stories including related ground level retail/restaurant uses, The second retail anchor within the Urban Core is one to one and one-half levels,. Parking may be initially constructed as surface parking and then replaced with buildings and structured decks. The property included in the Second Phase is intended to be fully developed and not held as open space, but such development density noted above is intended to commence construction concurrent with the commencement of construction of the Watkins Mill Interchange. If the Watkins Mill Interchange project has not commenced on or before March 1, 2015 or is abandoned by the Maryland SHA, the Developer may apply to the City for an alternative use of the property, and the Developer and City agree to in good faith determine a commercially reasonable, compatible alternative development program for the Second Phase and Third Phase of the development of the property.



7. Third Phase - The Third Phase of development shall be staged to commence upon the commencement of construction of the CCT. The Third Phase shall permit the construction of an office building D-2 of five stories and a 276 unit residential condominium building D-1 in the Urban Core of 12 stories above a parking deck, which deck includes ground level retail/restaurants. In addition, condominium building D-1 cannot proceed until not less than 300,000 square feet of other development within the Urban Core have been placed under construction. Notwithstanding the above, Developer reserves the right to develop this parcel's building density as an additional office building with retail/restaurant uses on the ground level as part of Phase 2. The property included in the Third Phase is intended to be fully developed and not held as open space, but such development density noted above is intended to commence construction concurrent with the commencement of construction of the Corridor City Transitway ("CCT"). If the CCT project has not commenced on or before March 1, 2020 or is abandoned by the Maryland MTA, the Developer may apply to the City for an alternative use of the property, and the Developer and City agree to in good faith determine a commercially reasonable, compatible alternative development program for the Third Phase property.
8. Density proposed for Site under Option 4 for office and commercial excluding the Cinema/retail/restaurant building are approximately 936,650 square feet and 259,939 square feet respectively (up to 1,200,000 total s.f.).
9. Surrounding Properties owned by others existing or proposed uses under City/County Master Plan shown as required under the Master Plan, but are for reference purposes only. The most significant are as follows: Area 40,46 & 49 - P707 (McGown)-zoned I-3, Area 48 (part), P21 (Devlin); Area 37, P138&404 (City of Gaithersburg)-Park; Parcel P435 (Montgomery County) - office/storage; Area 38D, P238, P241, P304, part of P342, and adjoining sliver tracks, Parcel P564 (State of Maryland), Parcel N384 (MTA), Area 38E, Part of P342 & P310, Portions of Parcels P N293, N459 & N 368.

Phasing Summary

Phase 1: Watkins Mill Road extended

482 attached and detached residential units
252 condominium units
106,639 s.f. mixed use (retail/restaurant/ commercial/cinema)
493,450 s.f. office
210 room hotel & related 38,000 s.f. meeting room & dining facilities; 65 penthouse condos

Phase 2: Watkins Mill Interchange

14,400 s.f. mixed use (bank/service)
80,600 s.f. mixed use (retail/restaurant)
360,000 s.f. office
184 room hotel & associated uses

Phase 3: CCT

276 condominium units
20,300 s.f. mixed use (retail/restaurant/service)
83,200 s.f. office

**MARYLAND TRANSIT ADMINISTRATION****MARYLAND DEPARTMENT OF TRANSPORTATION**

Robert L. Ehrlich, Jr., Governor • Michael S. Steele, Lt. Governor • Robert L. Flanagan, Secretary • Lisa L. Dickerson, Acting Administrator

April 14, 2005

Mr. Mark DePoe
Long Range Planning Director
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877

Dear Mr. DePoe,

Thank you for allowing the Maryland Transit Administration (MTA) to provide comments regarding the needs for the Corridor Cities Transitway (CCT) near the Metropolitan Grove station and other possible improvements that may affect the location of this station. We hope this will help you to better understand the infrastructure improvements that are planned in the vicinity of the station and how these improvements may affect any proposed development plans for the area. Please note that the CCT is being planned for both a light rail transit (LRT) or bus rapid transit (BRT) system. A locally preferred alternative has not been selected at this time but would have a bearing on infrastructure requirements in this area. LRT designs tend to be more restrictive than BRT designs and are the basis for this discussion. However, many of the issues described below apply to both modes.

There are four major issues that should be considered when reviewing adjacent development plans: location of platform and track alignment, parking needs, vehicle and bus access, and transit oriented development (TOD) considerations.

Location of Platform and Track Alignment

As part of the I-270 widening, it is anticipated that the CSX bridge over I-270 would need to be replaced. The concept plan being studied involves constructing a new CSX bridge just northeast of the existing bridge to serve as a temporary or permanent relocation. The CSX tracks would transition from its present alignment to the shifted alignment over a length of more than 2,500 feet. However, the CSX bridge over MD 124 (Quince Orchard Road) falls within this distance. It too would need to be replaced. The rail alignment transition would then begin just northwest of the Quince Orchard Road bridge instead of the I-270 bridge. The transition back to the existing CSX alignment would end just north of the existing Metropolitan Grove MARC station platform. The alignment shift would have a limited effect on any proposed development northeast of the station but must be considered. In addition, CSX owns additional right-of-way along the northeast side of the tracks here and has considered an option to construct a third set of tracks along that side.

The alignment of the CSX tracks is critical in that it sets the basis for determining the offset requirements for any proposed parallel tracks (i.e. CCT). Based on criteria established through other projects, CSX has provided offset requirements when constructing adjacent to its tracks. CSX typically requires a 50 feet offset from the centerline of the closest CSX track set to the centerline of the closest non-CSX track set or other improvements to provide a buffer area in case of derailments, for



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maintenance access, etc. This may be reduced to 25 feet if a crash barrier wall were constructed, but needs CSX's approval.

Since we have no commitment from CSX at this time, we have to assume a crash barrier would not be accepted and must consider the 50 feet clearance. This would provide the needed buffer area and room for CSX to construct a third track set. CCT construction would begin immediately beyond the buffer area and require approximately 60 feet for tracks, platforms, etc. It is assumed that the hiker/biker trail planned to parallel the CCT would be incorporated into the proposed development and is not considered in this width requirement.

In addition, we are evaluating opportunities for a yard and shop (Y&S) in the area just southeast of the Metropolitan Grove MARC station on land currently used for the Montgomery County police impound lot. Any Y&S at this location will likely require more space than is available at the impound lot, thus requiring expansion farther northeast onto property owned by the City of Gaithersburg. Also, if LRT is selected as the CCT transit mode, an extra set of tracks leading into the Y&S from the northwest will likely be necessary to stage trains prior to going into service or following removal from service. These lead tracks would further widen the required area needed near the proposed station. The layouts for the CCT track, station, and Y&S are still under development and won't be finalized until a later stage of the project.

As noted above, the station platforms would be accommodated within this area. As a possible interim terminal station, a station room for waiting passengers with protection from the weather should be considered. This room would need to be approximately 400 square feet and could be incorporated into an adjacent building or parking structure assuming it provided direct visibility to the platform and other public areas. Fare collection machines could be placed in this area as well. The platform for the CCT station will be at approximately the same elevation as the existing MARC platform to allow movement across both. All pedestrian areas at and around the station will be designed for ADA compliance.

We understand that the first stage of development on the Casey West tract calls for the construction of a bridge over CSX that extends Watkins Mill Road northeast from Clopper Road. An embankment would likely be placed on the northeast side of the CSX tracks to support the bridge and roadway. Design plans for the Watkins Mill Road bridge and embankment should include an opening for the CCT alignment to allow for it to pass through to continue north.

Parking Needs

MTA has estimated that approximately 2,000 total parking spaces, including the existing MARC parking spaces along Metropolitan Court, would be needed at the Metropolitan Grove station. This estimate is based on preliminary analyses and is subject to change based on ridership forecast results. The additional spaces should be constructed along the northeast side of the station to serve those vehicles coming from I-270 via the Watkins Mill Road interchange or a separate connection via direct access ramps to I-270's proposed managed lanes, either express toll or high occupancy lanes. These spaces could be combined with parking for any proposed development or constructed separately. They should be in close proximity to the station. The project team is currently updating its ridership model, which will provide a better estimate of parking spaces needed.

Vehicle and Bus Access

Access to and from I-270 should be relatively direct to avoid traffic cutting through the proposed residential community. Development plans should include space for a passenger drop-off

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area and three to four bus loading bays close to the station. Vehicles and buses are expected to approach the station primarily from the east via I-270 and Watkins Mill Road. A study by the Maryland State Highway Administration is ongoing to design direct access ramps in this vicinity. These ramps could be to and from one direction only or provide access to and from both the northbound and southbound I-270 managed lanes.

Transit Oriented Development (TOD) Considerations

In order to maximize the potential opportunities presented by the CCT within the area, TOD will be an important consideration. This area is well suited for TOD opportunities due to its proximity to the extension of Watkins Mill Road, I-270 and the CCT. TOD is a strategy used to help maximize public investment, manage growth, and improve the quality of life by coordinating investments in transportation and land use projects.

Various factors should be considered when planning a TOD in this area. For example, the CCT station should be visible and well connected to the development core, whether it be office, retail, or residential. The station should be close to the development destinations through a very pedestrian friendly environment and should incorporate convenient transit parking. It should have development densities and layouts that encourage use of transit making it both a point of origin as well as a destination.

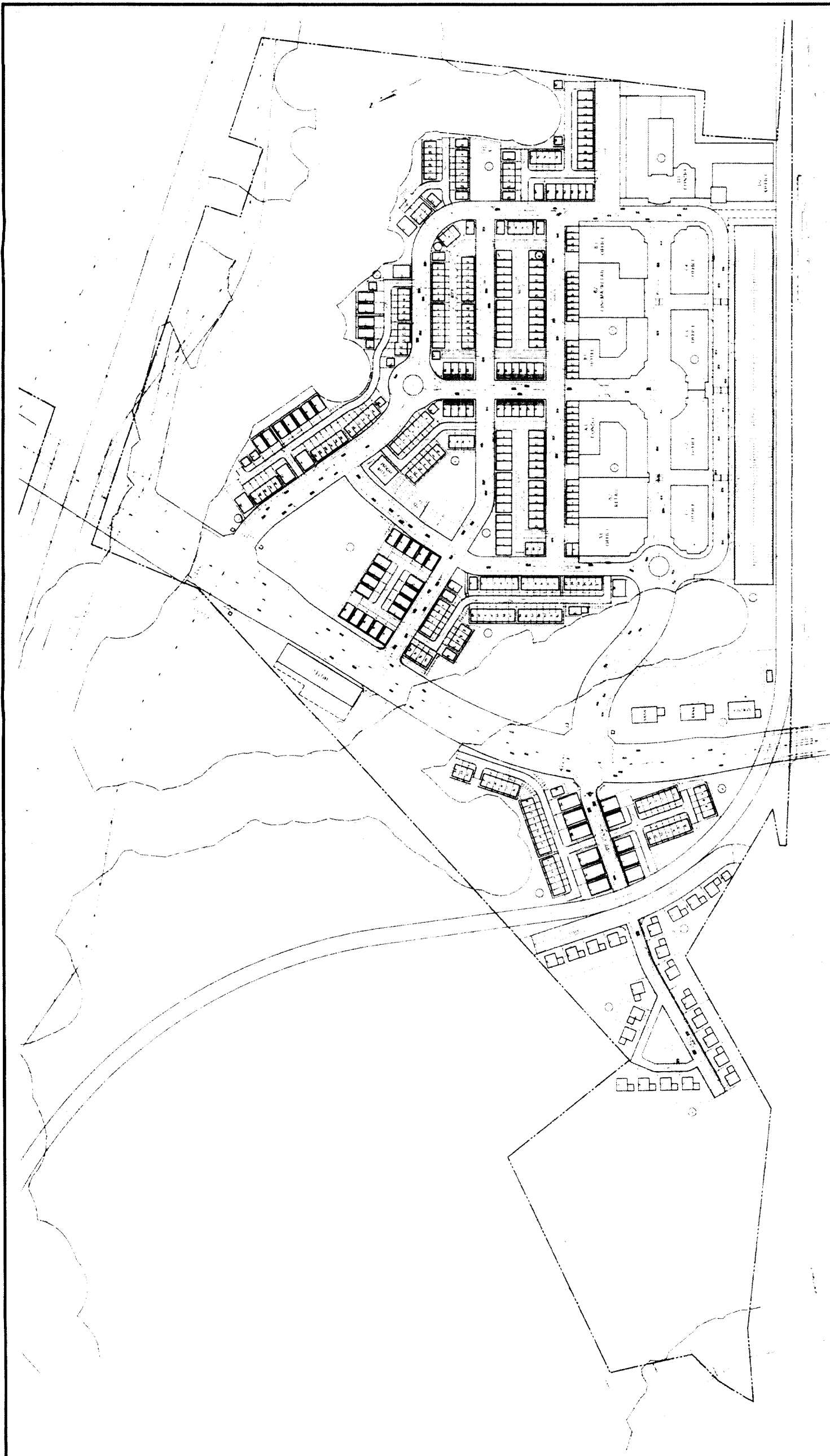
Thank you for allowing MTA to comment on possible development that may occur adjacent to the Metropolitan Grove CCT station. Any proposed development on the Casey West site needs to consider the factors mentioned above. It is important to note that MTA is in the conceptual planning phase and will have more exact information as the project progresses in design. In addition, issues associated with highway and railroad improvements are beyond the control of MTA and should be coordinated directly.

Much of this information is difficult to describe in text. MTA is available to meet and discuss this in more detail at your request. If you have any questions or would like to schedule a meeting, please feel free to contact Ms. MaryAnne Polkiewicz, MTA's Project Manager, at 410-767-3426 or Mr. Rick Kiegel, Consultant Project Manager, at 410-336-4677.

Sincerely,

Simon Taylor, Director
Office of Planning

cc: Mr. Ernie Baisden, Manager, Project Development Division, Maryland Transit Administration
Ms. MaryAnne Polkiewicz, Project Manager, Maryland Transit Administration
Mr. Rick Kiegel, McCormick Taylor, Inc.



CASEY PROPERTY WEST METROPOLITAN GROVE

CONCEPT PLAN

MARCH 11, 2005

